FEDERAL REGISTER

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PART 25—FEDERAL EMPLOYEES' PAY REGULATIONS

MISCELLANEOUS AMENDMENTS

1. Section 4.301 (a) (10) is amended to read as follows:

§ 4.301 *Definitions.* (a) * * *

(10) "Promotion" is the advancement of an employee while continuously employed to a higher Classification Act grade or to a higher grade within the same agency-established pay schedule in which grades are assigned, or from a lower rate paid under authority other than the Classification Act to a higher rate under the Classification Act or vice versa, or to a higher rate under a different agency-established pay schedule or under a pay schedule in which no grades are assigned. (Under the Classification Act a higher grade is any GS or CPC grade, other than an equivalent grade (see tabulation of equivalent grades in § 25.52 (c) of this chapter), the maximum scheduled rate of which is higher than the maximum scheduled rate of the last previous GS or CPC grade held by the employee.)

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 9830, Feb. 24, 1947, 12 F. R. 1259; 3 CFR, 1947 Supp.)

2. Effective upon publication in the FEDERAL REGISTER, paragraph (a) (15) is added to § 6.111 as set out below. In § 6.111 paragraphs (a) (5) (6) (7) (8) (14) (h) (1) (i) (4) and (l) (4) are revoked. As added, paragraph (a) (15) of § 6.111 reads as follows:

§ 6.111 *Department of Agriculture*—(a) *General.* * * *

(15) *NC/PD.* Temporary, intermittent, part-time or seasonal employment in the field service of the Department of Agriculture at grades or personal service rates not higher than GS-5, CPC-6, or equivalents, as follows:

(i) Field Assistants for subprofessional services.

(ii) Clerical, crafts, protective, and custodial positions at places other than civil service regional headquarters, whenever in the opinion of the Commission appointment through competitive examinations is impracticable.

(iii) Caretakers at temporarily closed camps or improved areas.

(iv) Owner-operators of equipment who are residents in the area of employment.

(v) Field enumerators and supervisors.

(vi) Forest workers at headquarters other than in forest supervisor and regional offices unless employed primarily for fire prevention or suppression activities.

(vii) Allotment checkers of the Production and Marketing Administration.

(viii) Collectors of the Farmers Home Administration.

Total employment under this subparagraph shall not exceed 180 working days in any period of twelve consecutive months.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 9830, Feb. 24, 1947, 12 F. R. 1259; 3 CFR, 1947 Supp. E. O. 9973, June 23, 1948, 13 F. R. 3600; 3 CFR, 1948 Supp.)

3. Section 24.119 is added as follows:

§ 24.119 *Director and Chief Scientists (unallocated) $15,000 per annum, Plum Island Animal Disease Research Institute, Bureau of Animal Industry, Department of Agriculture*—(a) *Educational requirements*—(1) *Director* Applicants must have successfully completed the full course of study in veterinary medicine in an accredited veterinary college.

(2) *Chief Scientist (Biochemistry and Biophysics)* Applicants must have successfully completed a full four year course in an accredited college leading to a bachelor of science degree in chemistry, which included courses in biochemistry.

(3) *Chief Scientist (Cytology).* Applicants must have successfully com-

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pleted a full four year course in an accredited college, leading to a bachelor's degree in biological science, which included courses in cytology.

(4) *Chief Scientist (Immunology) and Chief Scientist (Virology and Bacteriology)* Applicants must have completed the full course of study in veterinary medicine in an accredited veterinary college, or be graduates of a medical school of recognized standing with the degree of doctor of medicine.

(b) *Duties.* The Director of the Plum Island Animal Disease Research Institute has the responsibility for providing scientific and administrative direction and leadership to the Institute's broad program of extensive research and investigation, designed to discover and develop scientifically sound and practicable methods for the prevention, control, and eradication of foot-and-mouth and other exotic diseases of animals. The chief scientists share with the director the responsibility for planning and developing broad programs of fundamental research and have specific responsibility for the coordination of the research program in the specific areas of Biochemistry and Biophysics, Cytology, Immunology, Virology and Bacteriology, and related scientific fields.

(c) *Knowledge and training requisite for performance of duties.* The duties of these positions are such that they cannot be successfully performed without a basic background of sound knowledge of, and specific scientific training in, the particular fields indicated in paragraph (a) of this section. This background of knowledge and training can be acquired only through a directed course of study in an accredited college or university with scientific, and well-equipped laboratories, and thoroughly trained instructors, where guidance is expertly given and progress is competently evaluated.

(Sec. 11, 58 Stat. 390; 5 U. S. C. 869. Interprets or applies sec. 5, 58 Stat. 388; 5 U. S. C. 863)

4. Section 25.102 (h) is amended to read as follows:

§ 25.102 *Definitions.* * * *

(h) "Higher grade" is any GS or CPC grade, other than an equivalent grade (see tabulation of equivalent grades in § 25.52 (c) of this chapter) the maximum scheduled rate of which is higher than the maximum scheduled rate of the last previous GS or CPC grade held by the employee.

(Sec. 1101, 63 Stat. 971; 5 U. S. C. 1072)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] C. L. EDWARDS,
Executive Director.

[F. R. Doc. 53-397; Filed, Jan. 14, 1953; 8:51 a. m.]

TITLE 20—EMPLOYEES' BENEFITS

Chapter V—Bureau of Employment Security, Department of Labor

PART 602—COOPERATION OF UNITED STATES EMPLOYMENT SERVICE AND STATES IN ESTABLISHING AND MAINTAINING A NATIONAL SYSTEM OF PUBLIC EMPLOYMENT OFFICES

MISCELLANEOUS AMENDMENTS

Pursuant to authority vested in me by section 12, 48 Stat. 117, as amended, 29 U. S. C. 49k, the regulations contained in this part are amended as follows:

1. Section 602.1 (d) is amended to read as follows:

§ 602.1 *Definitions.* * * *

(d) "State Director" means the individual, regardless of organizational title, who is responsible, subject to the over-all direction and supervision of the chief official of the State agency or department in which the State service is located, for the proper and efficient administration of the State-wide system of public employment offices.

2. Section 602.1 (e) is amended to read as follows:

(e) "The United States Employment Service" means the organizational components of the Bureau of Employment Security in the Department of Labor which are responsible for carrying out the Department's responsibilities in connection with the Wagner-Peyser Act.

3. Section 602.1 (f) is amended to read as follows:

(f) "Director of the United States Employment Service" means the chief official of the United States Employment Service; that is, the official who is responsible, subject to the supervision of the Secretary of Labor, for the administration of the Bureau of Employment Security in the Department of Labor, which includes the United States Employment Service.

4. Section 602.4 is amended to read as follows:

§ 602.4 *Occupational analysis.* Each State agency shall maintain, through its State administrative office and local offices, an adequate occupational analysis activity concerned with the collection, organization, processing, adapting, or issuing of information about the duties, responsibilities, and performance requirements of jobs and the relationships that exist among jobs to permit effective matching of workers and jobs and to broaden the employment opportunities for applicants and the sources of workers for employers. In connection with this activity, each State agency shall cooperate with the United States Employment Service in the development and use of the occupational analysis and related materials of the United States Employment Service.

5. Sections 602.5 through 602.23 are renumbered as §§ 602.6 through 602.24.

6. A new § 602.5 is added to read as follows:

§ 602.5 *Industrial services.* Each State agency shall maintain, through its State administrative office and local offices, an adequate industrial services activity concerned with assisting employers, labor organizations, and other organizations in analyzing and evaluating the basic causes of in-plant manpower problems in individual establishments, and giving instruction in the application and/or use of those materials, techniques, and related information developed by or recommended by the United States Employment Service which will aid in resolving these problems. In connection with this activity, each State agency shall cooperate with the United States Employment Service in the use of the occupational analysis and related materials of the United States Employment Service.

7. Section 602.12 (as renumbered) is amended to read as follows:

§ 602.12 *Services and facilities.* Each State agency shall provide, in an efficient and effective manner, the public employment services described in §§ 602.2 to 602.11, inclusive, through adequate local employment office facilities. Each State agency shall maintain local employment office facilities of such number, size, and location as may be necessary in view of the population distribution and the industrial and agricultural and related industry employment pattern of the State and of communities within the State.

8. Section 602.13 (b) (as renumbered) is amended to read as follows:

§ 602.13 *Organization—* * * *

(b) *State director* Each State-wide system of public employment offices shall be under the supervision and direction of a State director (as defined in § 602.1 (d)) who shall devote his full time to employment service activities, except that such State director may also supervise and direct the following unemployment insurance activities: The taking of claims, the making of decisions thereon, and the payment of claims. He may also supervise such other activities as the Director of the United States Employment Service finds, in the light of special circumstances, will not impede the proper and efficient administration of the employment service program.

9. Section 602.13 (c) (as renumbered) is amended to read as follows:

(c) *Local managers.* Each local public employment office shall, with respect to all its employment service activities, be under the direction and supervision of a local office manager, who shall be responsible to the State director (as defined in § 602.1 (d)) for the proper and efficient administration of the employment service activities performed in such local office and who may, in addition, be responsible for other designated activities which are closely related to and will not impede the proper and efficient administration of, the employment service activities of a local employment office. These activities may include the supervision and direction of unemployment insurance activities relating to claims for benefits, such as the taking of claims, the making of decisions thereon, and the payment of claims, performed in such local offices.

10. Paragraph (d) of § 602.13 (as renumbered) is revoked and paragraph (e) is relettered paragraph (d) and amended to read as follows:

(d) *Maintenance of employment service activities in local offices.* Under emergency circumstances, and giving due regard to the proper and efficient performance of employment service activities, personnel required for the performance of local office employment service functions may assist in the performance of unemployment insurance activities described in paragraphs (b) and (c) of this section for limited periods of time. Under emergency circumstances and for limited periods of time, the services of unemployment insurance personnel in local offices may be accepted to assist in the performance of local office employment service activities. Notwithstanding any of the provisions of this paragraph to the contrary, clerical services may be used interchangeably between the employment service and unemployment insurance activities.

11. A new paragraph (e) is added to § 602.13 (as renumbered) to read as follows:

(e) *Staff training.* Each State agency shall maintain an effective program for the development of its personnel through staff training. Such a program shall include provision for adequate and appropriate planning, execution, evaluation, and control of staff training.

12. Section 602.21 (as renumbered) is amended to read as follows:

§ 602.21 *State plans of operation.* Each State desiring to receive the benefits of the Wagner-Peyser Act shall submit detailed plans for carrying out the provisions of the act in accordance with the instructions to State agencies for preparation and submittal of State plans of operation under the Wagner-Peyser Act prescribed by the Secretary of Labor (or by the official to whom he has delegated authority to issue such instructions) and contained in Part I of the Employment Security Manual. If such plans are found in compliance with this section, they shall be approved and due notice thereof shall be communicated to the State agency.

13. Section 602.22 (as renumbered) is amended to read as follows:

§ 602.22 *Delegation of authority.* The Director of the Bureau of Employment Security is hereby authorized except as otherwise provided in Parts 602 and 605 of this chapter, to issue any standard or instruction or to take any other action provided for in such parts, and to delegate further any authority so delegated to him.

(Sec. 12, 48 Stat. 117; 29 U. S. C. 49k)

Signed at Washington, D. C., this 6th day of January 1953.

MAURICE J. TOBIN,
Secretary of Labor

[F. R. Doc. 53-373; Filed, Jan. 14, 1953; 8:47 a. m.]

PART 603—INSTRUCTIONS TO STATE AGENCIES FOR PREPARATION AND SUBMITTAL OF STATE PLAN OF OPERATION UNDER THE WAGNER-PEYSER ACT

PART 604—POLICIES OF THE UNITED STATES EMPLOYMENT SERVICE

MISCELLANEOUS AMENDMENTS

Pursuant to the authority vested in me by section 12, 48 Stat. 117, as amended, 29 U. S. C. 49k, Reorganization Plan No. 2 of 1949 and by delegation from the Secretary of Labor, Parts 603 and 604 are amended as set forth below.

1. Section 603.5 (b) is amended to read as follows:

§ 603.5 *Program.* * * *

(b) *Policies and operating instructions.* Submit a statement that the State agency will adhere to the basic standards set forth as United States Employment Service Policies and Policies of the Secretary of Labor in the Employment Security Manual, and will maintain

an organization and procedures necessary to carry out effectively such policies. The statement should indicate one of two types of action by the State agency to make such policies and procedures effective:

(1) The adoption of the Manual as issued by the Bureau of Employment Security as the vehicle for issuing instructions on employment service matters to local offices; or

(2) The issuance of instructions on employment service matters to local offices through a State agency manual or bulletin series.

2. Section 603.5 (g) is amended to read as follows:

(g) *State program for special applicant groups.* Describe the State employment service program for meeting the needs of youth, older workers, minority groups, handicapped workers, and other special applicant groups, including in the description the organizational and administrative arrangements made to assure the efficient and effective execution of such program.

(Sec. 12, 48 Stat. 117; 29 U. S. C. 49k)

3. Section 604.2 is amended to read as follows:

§ 604.2 *Clearance.* It is the policy of the United States Employment Service:

(a) To facilitate the mobility of labor by encouraging and guiding necessary migration of workers between geographical areas, and necessary shifts of workers across occupational and industrial lines.

(b) To recruit qualified workers from all practicable local sources before resorting to clearance.

(c) To extend for interstate clearance only those employer orders on which at least minimum compensation is specified.

(d) To authorize direct negotiations between offices within a State (offices of direct clearance) for clearance activities when ease of transportation, similarity of industrial activity, and customary migration patterns warrant.

(e) To authorize direct negotiations between offices in adjoining States (offices of direct clearance) for clearance activities when ease of transportation, similarity of industrial activity, and customary migration patterns warrant.

4. Section 604.5 is amended to read as follows:

§ 604.5 *Agricultural and related industry placement services.* It is the policy of the United States Employment Service: To provide placement services by furnishing adequate facilities for meeting the labor requirements of agriculture and related industries, including, when necessary, provision for special recruitment and referral programs and for the orderly and expeditious movement of migrant workers to successive job opportunities.

5. Section 604.19 is added to read as follows:

§ 604.19 *Staff training.* It is the policy of the United States Employment Service:

(a) To establish and maintain a comprehensive program of staff training for all personnel, including induction training for new employees and additional training as necessary for other employees.

(b) To provide supervisory personnel with methods and techniques for conducting effective training of their staffs.

(c) To establish training plans which meet definite training needs and program requirements.

(d) To establish methods of control and evaluation which will assure that training objectives are met.

(e) To develop, adapt, and use training aids, methods, and procedures in accordance with applicable standards.

(f) To promote and collaborate in the development and use of improved training techniques.

(g) To use only those training materials which equip personnel to serve effectively the needs of applicants for work, employers, and the general public.

(h) To facilitate the exchange of information on successful training experiences and practices.

(Sec. 12, 48 Stat. 117; 29 U. S. C. 49k)

Signed at Washington, D. C., this 6th day of January 1953.

ROBERT C. GOODWIN,
Director of the Bureau of Employment Security.

[F. R. Doc. 53-379; Filed, Jan. 14, 1953; 8:47 a. m.]

PART 605—POLICIES OF THE SECRETARY OF LABOR

SERVICE TO VETERANS

Pursuant to authority vested in me by Title IV of the act of June 22, 1944 (58 Stat. 294) as amended, 38 U. S. C. 695a, Reorganization Plan No. 2 of 1949 (14 F R. 5225) and the act of June 6, 1933 (48 Stat. 113), as amended, 29 U. S. C. 49–49n, the following policies governing the employment placement and job counseling of veterans are hereby promulgated:

§ 605.1 *Service to veterans.* It is the policy of the Secretary of Labor:

(a) That the facilities of the United States Employment Service and the State agencies designated under section 4 of the Wagner-Peyser Act to cooperate with the United States Employment Service (hereinafter referred to as the "State agencies") shall be utilized fully to provide an effective job counseling and employment placement service to veterans.

(b) That the United States Employment Service, the Veterans Employment Service (the term "Veterans Employment Service" means the Veterans Employment Service of the United States Employment Service) and each State agency shall comply with the provisions of title IV of the Servicemen's Readjustment Act of 1944, as amended, and each State agency shall cooperate fully with the State Veterans Employment Representative in order to enable him to discharge the responsibilities specified in section 601 of that act.

(c) That the United States Employment Service and the State agencies shall provide an effective placement service for all veterans in order to secure for them the maximum of job opportunity in the field of gainful employment.

(d) That the United States Employment Service and the State agencies shall provide an effective employment counseling service to all veterans who need special assistance in meeting problems of vocational adjustment.

(e) That local public employment offices shall give priority to qualified veterans in referring workers to job openings, and shall give priority to disabled veterans over other veterans.

(f) That disabled veterans shall be given preferential treatment in all services provided by local public employment offices.

(g) That local public employment offices shall provide information to veterans concerning (1) training, rehabilitation, and other benefits or services related to employment, and (2) the governmental or community agencies through which such benefits or services may be obtained.

(h) That the United States Employment Service, the Veterans Employment Service, and the State agency shall cooperate with public and private organizations and committees in order to promote employment opportunities for veterans and to facilitate their placement in available job openings.

(i) That the United States Employment Service, the Veterans Employment Service, and the State agency shall cooperate with officials of Army, Navy, Air Force, and Veterans Administration hospitals in order to facilitate the employment of veterans eligible for discharge.

(j) That the State agencies shall designate, in each full-functioning local employment office, one or more employees, preferably veterans, whose primary responsibility shall be to discharge the duties prescribed in section 602 of the Servicemen's Readjustment Act of 1944, as amended.

(k) That these policies shall be carried out in accordance with instructions issued jointly by the Director of the United States Employment Service and the Chief of the Veterans Employment Service.

(Sec. 12, 48 Stat. 117; 29 U. S. C. 49k)

Signed at Washington, D. C., this 7th day of January 1953.

MAURICE J. TOBIN,
Secretary of Labor.

[F. R. Doc. 53-375; Filed, Jan. 14, 1953; 8:47 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

[Dept. Reg. 108.176]

PART 65—PAYMENTS TO AND ON BEHALF OF PARTICIPANTS IN THE CULTURAL-COOPERATION PROGRAM

GRANTS TO FOREIGN LEADERS

Under the authority contained in R. S. 161 (5 U. S. C. 22) in the Information and Educational Exchange Act of 1948 (62 Stat. 6), and in section 109, Public

Law 495, 82d Congress, the provisions of paragraphs (b) and (e) of § 65.3 are amended to read as follows:

§ 65.3 *Grants to foreign leaders.* * * *

(b) *Per diem in lieu of subsistence.* (1) Per diem at a rate not to exceed $12.00 in lieu of subsistence and all incidental expenses including gratuitous fees, taxi fares, head tax, visa fees, telegraph and telephone charges, et cetera, while traveling to and from the United States except for the period spent on sea-going vessels, while on authorized or emergency stop-overs, and while in travel status within the United States, which status shall include the entire period of the trip unless the travel order or an amendment thereto specifically directs the traveler to proceed to a designated place and remain there on a duty assignment: *Provided,* That when a traveler is furnished meals and/or lodging without charge by a United States Government department or agency, one-fifth of the authorized per diem shall be deducted for each meal or night's lodging.

(2) Per diem of $5.00, unless another rate not to exceed $12.00 is authorized, in lieu of subsistence and all incidental expenses including gratuitous fees, and the cost of steamer chairs, rugs and cushions, et cetera, while traveling on sea-going vessels outside the continental limits of the United States.

* * * * *

(e) *Allowances.* (1) Monthly allowances in lieu of subsistence at a rate not to exceed $12.00 per diem, while on a duty assignment.

(R. S. 161, sec. 1, 53 Stat. 1290, 62 Stat. 6; 5 U. S. C. 22, 22 U. S. C. 501)

This regulation is effective December 5, 1952.

Date of issuance: January 9, 1953.

CARLISLE H. HUMELSINE,
Deputy Under Secretary for Administration.

[F. R. Doc. 53-399; Filed, Jan. 14, 1953; 8:52 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 77, Amdt. 1]

CPR 77—CEILING PRICES FOR AGRICULTURAL LIMING MATERIALS

REVOCATION

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 1 to Ceiling Price Regulation 77 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment revokes Ceiling Price Regulation 77. Amendment 7 to General Overriding Regulation 3 is being issued simultaneously with this amendment. The effect of these amendments is to exempt from price control all sales of agricultural liming materials.

Agricultural liming materials have been found not to enter significantly into the cost of doing business of the American farmer. On the average, they cost the farmer only $18.15 per year compared with $4,168 for other production expenses.

Producers of agricultural liming materials consist of a few large companies and a great many very small firms, many of which operate on a part-time basis. Many of these small producers do not hire accountants or bookkeepers and are not in a position to comply with the reporting and record keeping requirements of CPR 77. For these small firms, which comprise a majority of the firms in the industry the administrative burden imposed by these record keeping and reporting requirements far outweigh the value of continuing controls for an industry whose products account for only 0.19 percent of the parity index.

Agricultural liming materials are appropriately separable from other material kept under controls. They cannot be used as substitutes for either fertilizers or soil conditioners since they are used only to correct soil acidity and to supply calcium and magesium to soil deficient in those elements.

Exemption of agricultural liming materials presents no substantial threat to diversion of materials and manpower from sellers remaining under control. Approximately 90 percent of output is by-product or waste material obtained in the production of industrial limestone. Agricultural liming materials are finely ground and cannot generally be used for industrial purposes.

There is no evidence to show that decontrol of agricultural liming materials will have a significant adverse effect on the price level. Supplies of these materials are plentiful. Moreover, the Department of Agriculture pays part of the cost of approximately 80 percent of all liming materials used for agricultural purposes in the United States and through the issuance of contracts or the establishment of fair prices exercises a great influence on the prices of these products.

In the formulation of this amendment, there has been consultation with industry representatives, including trade association representatives of the agricultural liming materials industry to the extent practicable, and consideration has been given to their recommendations.

AMENDATORY PROVISION

Ceiling Price Regulation 77 is hereby revoked, effective January 14, 1953.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

JOSEPH H. FREEHILL,
Director of Price Stabilization.

JANUARY 14, 1953.

[F. R. Doc. 53-588; Filed, Jan. 14, 1953; 12:05 p. m.]

[General Overriding Regulation 3, Amdt. 7]

GOR 3—EXEMPTION OF CERTAIN RUBBER, CHEMICAL AND DRUGS COMMODITY TRANSACTIONS

EXEMPTION OF AGRICULTURAL LIMING MATERIALS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this amendment to General Overriding Regulation 3 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to General Overriding Regulation 3 exempts from price control all sales of agricultural liming materials.

A more detailed explanation for this action is set forth in the Statement of Considerations to Amendment 1 to Ceiling Price Regulation 77, which revokes the tailored regulation applicable to sales of agricultural liming materials.

In the formulation of this amendment, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

AMENDATORY PROVISION

A new paragraph (j) is added to section 2, which reads as follows:

(j) *Agricultural liming materials.* "Agricultural liming materials" means all the various kinds and grades of liming materials containing calcium or calcium and magnesium compounds for use as soil amendments including, but not limited to, ground or pulverized limestone, limestone screenings and meal, burned lime, hydrated lime, air-slaked lime, burned or ground mollusk shells, calcareous and dolomitic fertilizer fillers, marl, slag and by-product liming materials such as sugar house lime and acetylene lime waste.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

This amendment to General Overriding Regulation 3 is effective January 14, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

JANUARY 14, 1953.

[F. R. Doc. 53-589; Filed, Jan. 14, 1953; 12:05 p. m.]

Chapter VI—National Production Authority, Department of Commerce

[NPA Order M-50, Amdt. 1 of January 14, 1953]

M-50—ELECTRIC UTILITIES

AMENDMENT OF APPENDICES

This amendment is found necessary and appropriate to promote the national defense and is issued pursuant to the authority of the Defense Production Act of 1950 as amended. In the formulation of this amendment, consultation with industry representatives has been impracticable because of the need for immediate action.

This amendment affects NPA Order M–50 as amended August 15, 1952, by amending Appendices A, B, C, D, and E to provide the full first and second quarter 1953 allotments of controlled materials for minor requirements, to authorize advance allotments of controlled materials for the third and fourth quarters of 1953 and the first quarter of 1954, and to provide special procedures for ordering new standard rail.

As so amended, Appendices A, B, C, D, and E read as follows:

APPENDIX A OF NPA ORDER M–50—ALUMINUM

1. *Definition.* "Aluminum" means aluminum in the forms and shapes indicated in Schedule I of CMP Regulation No. 1.

2. *Aluminum quotas for minor requirements for first quarter of 1953.*

	Percent
Standard quota	22.5
Alternative quota	90.0

3. *Aluminum quotas for minor requirements for second quarter of 1953.*

	Percent
Standard quota	22.5
Alternative quota	90.0

4. *Advance aluminum quotas for minor requirements.*

	Percent
(a) Third quarter, 1953:	
Standard quota	18.0
Alternative quota	72.0
(b) Fourth quarter, 1953:	
Standard quota	16.875
Alternative quota	67.5
(c) First quarter, 1954:	
Standard quota	13.5
Alternative quota	54.0

5. *Exemption from quantity restrictions.* The quantity restrictions applicable to aluminum shall not apply to any electric utility which orders for delivery, in any calendar quarter, a weight of aluminum which does not exceed 1,000 pounds.

6. *Special provisions for ACSR.* Delivery orders for Aluminum Conductor Steel Reinforced shall bear the allotment symbol H–3 for major plant additions and H–4 for minor requirements, plus the appropriate quarter's designation. Orders so placed shall constitute a charge against each utility's aluminum allotment in the amount of the aluminum content of ACSR, but shall not constitute a charge against its steel allotment.

APPENDIX B OF NPA ORDER M–50—COPPER

1. *Definitions.* "Copper" means the shapes and forms indicated in Schedule I of CMP Regulation No. 1 under the headings "Copper and Copper-base alloy brass mill products," "Copper wire mill products," and "Copper and copper-base alloy brass mill products," powder."

2. *Copper quotas for minor requirements for first quarter of 1953.*

	Percent
Standard quota	15.0
Alternative quota	60.0

3. *Copper quotas for minor requirements for second quarter of 1953.*

	Percent
Standard quota	15.0
Alternative quota	60.0

4. *Advance copper quotas for minor requirements.*

	Percent
(a) Third quarter, 1953:	
Standard quota	12.0
Alternative quota	48.0
(b) Fourth quarter, 1953:	
Standard quota	11.25
Alternative quota	45.0
(c) First quarter, 1954:	
Standard quota	9.0
Alternative quota	36.0

5. *Exemption from quantity restrictions.* The quantity restrictions applicable to copper shall not apply to any electric utility which orders for delivery in any calendar quarter a quantity of copper which does not exceed 1,000 pounds in the aggregate.

6. *Special provisions for Amerductor and Copperweld conductor.* Delivery orders for Amerductor and Copperweld conductor shall bear the allotment symbol H–3 for major plant additions and H–4 for minor requirements, plus the appropriate quarter's designation. Orders so placed shall constitute a charge against each utility's copper allotment in the amount of the copper content of Amerductor or Copperweld conductor, but shall not constitute a charge against its steel allotment.

APPENDIX C OF NPA ORDER M–50—CARBON STEEL

1. *Definition.* "Carbon steel" means carbon steel, including wrought iron, in the forms and shapes indicated in Schedule I of CMP Regulation No. 1.

2. *Carbon steel quotas for minor requirements for first quarter of 1953.*

	Percent
Standard quota	14.0
Alternative quota	56.0

3. *Carbon steel quotas for minor requirements for second quarter of 1953.*

	Percent
Standard quota	18.75
Alternative quota	75.0

4. *Advance carbon steel quotas for minor requirements.*

	Percent
(a) Third quarter, 1953:	
Standard quota	18.75
Alternative quota	75.0
(b) Fourth quarter, 1953:	
Standard quota	16.875
Alternative quota	67.5
(c) First quarter, 1954:	
Standard quota	11.25
Alternative quota	45.0

5. *Exemption from quantity restrictions.* The quantity restrictions applicable to carbon steel shall not apply to any electric utility which orders for delivery in any calendar quarter a quantity of carbon steel which does not exceed 1,000 pounds.

6. *Special provisions for new standard rail.*

(a) *Definition.* "New standard rail" means new rail weighing over 60 pounds per yard.

(b) *Limitations on placement of orders.* The following limitations will apply to new standard rail ordered for major plant additions and for minor requirements, for delivery in the second, third, and fourth quarters of 1953, and the first quarter of 1954:

(1) Orders for new standard rail placed prior to January 14, 1953, shall be reported to DEPA before January 26, 1953, or canceled.

(2) No orders for new standard rail shall be placed on or after January 14, 1953, except upon specific authorization by DEPA.

APPENDIX D OF NPA ORDER M–50—ALLOY STEEL (EXCEPT STAINLESS STEEL)

1. *Definition.* "Alloy steel" means alloy steel in the forms and shapes indicated in Schedule I of CMP Regulation No. 1.

2. *Alloy steel quotas for minor requirements for first quarter of 1953.*

	Percent
Standard quota	18.75
Alternative quota	75.0

3. *Alloy steel quotas for minor requirements for second quarter of 1953.*

	Percent
Standard quota	18.75
Alternative quota	75.0

4. *Advance alloy steel quotas for minor requirements.*

	Percent
(a) Third quarter, 1953:	
Standard quota	18.75
Alternative quota	75.0
(b) Fourth quarter, 1953:	
Standard quota	16.875
Alternative quota	67.5
(c) First quarter, 1954:	
Standard quota	11.25
Alternative quota	45.0

APPENDIX E OF NPA ORDER M–50—STAINLESS STEEL

1. *Definition.* "Stainless steel" means a stainless steel, wrought, cast, or sintered, containing 1 percent or more of nickel.

2. *Special provisions for stainless steel.* The quotas expressed in this appendix are percentages of base-period use of stainless steel as reported on Form DEPA–8, Revision 1, even though such usage may have included stainless steel containing less than 1 percent of nickel.

3. *Stainless steel quotas for minor requirements for the first quarter of 1953:*

	Percent
Standard quota	18.75
Alternative quota	75.0

4. *Stainless steel quotas for minor requirements for the second quarter of 1953.*

	Percent
Standard quota	18.75
Alternative quota	75.0

5. *Advance stainless steel quotas for minor requirements.*

	Percent
(a) Third quarter, 1953:	
Standard quota	18.75
Alternative quota	75.0
(b) Fourth quarter, 1953:	
Standard quota	16.875
Alternative quota	67.5
(c) First quarter, 1954:	
Standard quota	11.25
Alternative quota	45.0

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942 (5 U. S. C. 139–139F).

(Sec. 704, 64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154)

This amendment shall take effect January 14, 1953.

NATIONAL PRODUCTION AUTHORITY,
By GEORGE W. AUXIER,
Executive Secretary,

[F. R. Doc. 53–585; Filed, Jan. 14, 1953; 11:15 a. m.]

Chapter XVII—Housing and Home Finance Agency

[Priorities and Allocations Order 1, as Amended]

PA 1—PROCEDURE GOVERNING SELF-AUTHORIZATION OF PURCHASE ORDERS OR APPLICATIONS FOR CONSTRUCTION AUTHORIZATION AND ALLOTMENTS UNDER CONTROLLED MATERIALS PLAN FOR HOUSING CONSTRUCTION

The following amended HHFA Priorities and Allocations Order 1 revises HHFA Priorities and Allocations Order 1 issued April 22, 1952 (17 F. R. 3550), and amended December 10, 1952 (17 F. R. 11173), pursuant to the Defense Production Act of 1950, as amended. This re-

vised order is necessary and appropriate to promote the national defense and to make the order consistent with the revisions of the regulations of the National Production Authority governing residential construction. In its formulation, consultation with industry representatives and trade association representatives has been rendered impractical because of the necessity for immediate action.

Sec.
1. Purpose of this order.
2. Definitions.
3. When and where to file applications; where to obtain forms.
4. Action on applications; reconsideration.
5. Appeals; grounds.
6. Rules for filing appeals.
7. Decisions on appeal.
8. Intervention by interested parties.

AUTHORITY: Sections 1 to 8 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp., E. O. 10200, Jan. 3, 1951, 16 F. R. 61; 3 CFR, 1951 Supp.

SECTION 1. *Purpose of this order* (a) This order explains the provisions for the right to self-authorize purchase orders of controlled materials; and when the right to self-authorize purchase orders is not exercised, the manner and procedure for obtaining construction authorization and allotments of controlled materials under the Controlled Materials Plan for housing construction under the claimant agency jurisdiction of the Housing and Home Finance Agency and its constituent agencies. The provisions of this order relate only to housing construction for which the Housing and Home Finance Agency has been designated as the claimant agency by the Defense Production Administration. This order is not applicable to farmstead housing; federally owned housing on federally owned property under the control of the Atomic Energy Commission; housing on military reservations except defense housing constructed under Pub. Law 139, 82d Congress by the Public Housing Administration; military housing under Pub. Law 211, 81st Congress (Wherry Act) whether on or off military bases and reservations; college and educational institutional housing; or hospital and health facility housing.

(b) Revised CMP Regulation No. 6, effective October 3, 1952 (17 F R. 8903) and Direction 8 of the Regulation, as amended December 10, 1952 (17 F R. 11233) prohibits the construction, including alteration, addition or extension, of 1- through 4-family residential structures and of multiunit residential structures which will use different types or greater quantities of controlled materials than are specified therein for each type of construction. Materials required for completion of such construction may be obtained by self-authorizing purchase orders for controlled materials within the amounts specified in Appendix A of Direction 8 under Revised CMP Regulation No. 6. (The allotment number U–7 shall be inserted in the purchase order.) Provision is also made for the filing of applications for adjustment or exception from the provisions of the regulation. Construction requiring different types or greater quantities of controlled materials than are specified in the regulation may be commenced only after applying for and receiving an authorized construction schedule. The method for obtaining an authorized construction schedule or allotment of controlled materials for residential construction, through the filing of a Form CMP–4C is set forth in Revised CMP Regulation No. 6.

(c) Under NPA Delegation No. 14, as amended March 6, 1952 (17 F R. 1971) authority has been conferred upon the Housing and Home Finance Administrator to authorize construction schedules, to make allotments of controlled materials, to assign the right to use DO ratings for the procurement of certain building materials (other than controlled materials) and building equipment, and to grant applications for adjustment or exception with respect to public and private residential construction for which the Housing and Home Finance Agency is the claimant agency. This authority has in turn been delegated by the Housing and Home Finance Administrator to the Public Housing Commissioner (with respect to public multiunit residential construction) and to the Assistant Administrator, Plans and Programs, Housing and Home Finance Agency (with respect to private multiunit residential construction and 1- through 4-family residential construction) NPA Delegation No. 14 also confers upon the Housing and Home Finance Administrator the authority to take final appellate action under Revised CMP Regulation No. 6 and this authority has been delegated to the CMP Appeals Board of the Housing and Home Finance Agency. The purpose of the present order is to provide for the filing with and the consideration by these officials of applications for the authorizations, allotments, ratings, and adjustments, exceptions or other relief referred to above and to prescribe the procedure for appeals from administrative action taken upon such applications. This order does not apply to appeals from suspension orders issued or other action taken in connection with compliance proceedings of the NPA.

SEC. 2. *Definitions.* As used in this order, unless a different meaning is clearly indicated by the context:

(a) Terms defined in Revised CMP Regulation No. 6 have the meanings given them therein.

(b) "Residential structure" means any building or structure in which at least 50 percent of the floor space (excluding floor space devoted to stairways, halls, and other common space) is used or designed for dwelling purposes for other than transient occupancy. "Residential structure" does not include such buildings or structures as hotels, motels, or tourist camps, primarily used for transient occupancy.

(c) "Multiunit residential structure or project" means any residential structure or project such as an elevator-type apartment house, a dormitory, or a walk-up housing development, which includes more than four dwelling units in any single structure, whether or not such dwelling units are self-contained. A dwelling unit includes a room or group of rooms in a rooming or boarding house, or dormitory, used as individual living quarters by a single person or a group of persons. Houses connected by common walls, with individual heating and utility units and connections, and commonly known as "row" houses, are not considered multiunit residential structures. Separate buildings, even though they contain four or less dwelling units, which have common utility or heating systems constitute a multiunit residential project within the meaning of this order, if the total number of dwelling units in all such buildings is more than four. Separate buildings or construction on the residential site where used to service a multiunit residential structure or project, such as a heating or incinerator plant, a garage for use of tenants only, or electric utility, water, gas, or oil lines or pipes which are or will be the property of the owner, are part of the multiunit residential structure or project.

(d) "1- through 4-family residential structure" means any residential structure which includes at last one but not more than four dwelling units. Separate buildings or construction on the residential site where used to service 1- through 4-family residential structures, such as private garages, tool sheds, and greenhouses, and electric utility, water, gas, or oil lines or pipes which are or will be the property of the owner, are part of the 1- through 4-family residential structure.

(e) "Controlled material" means domestic and imported steel, copper, and aluminum, in the forms and shapes indicated in Table III of Revised CMP Regulation No. 6, whether new, remelted, rerolled, or redrawn, including used and second-quality materials, shearings, and material sorted or salvaged from scrap which are sold for other than remelting, rerolling, or redrawing purposes.

SEC. 3. *When and where to file applications; where to obtain forms.* (a) Applications may be filed in the following situations:

(1) An application on Form CMP–4C in accordance with the provisions of Revised CMP Regulation No. 6 for an authorized construction schedule, an allotment of controlled materials, or an assignment of the DO rating to procure building materials other than controlled materials, for the construction, including alteration, addition, or extension, of 1- through 4-family residential structures or of multiunit residential structures which will use controlled materials of a different type or in a greater quantity than is specified in Revised CMP Regulation No. 6.

(2) An application for an adjustment or exception to the provisions of Revised CMP Regulation No. 6 for the alteration, addition or extension of a 1- through 4-family residential structure or of a multiunit residential structure completed after March 5, 1952, prior to the expiration of a period of one year after the completion of construction.

(3) An application under section 33 of Revised CMP Regulation No. 6 for an adjustment, exception or other relief from the provisions of this order with respect to the construction of any residential structure. Where an authorized construction schedule or an allotment of controlled materials would be

required upon the granting of such request, the applicant must also file a Form CMP-4c in accordance with the provisions of Revised CMP Regulation No. 6.

(b) Applications seeking allotments of controlled materials for multiunit residential construction generally should be filed not later than 75 days before the beginning of the calendar quarter in which the materials are to be delivered or on the date publicly announced for the filing of such applications. However, applications for initial allotments of controlled materials for multiunit public housing construction should not be filed prior to the submission of the proposed construction contract to the Public Housing Administration. No applicant should request the allotment of any such materials for use in any quarter in excess of the amount he expects to or can use in such quarter and the total amount of each controlled material sought should be kept to the absolute minimum required for the character of construction involved.

(c) The applications described in the preceding paragraphs shall be filed with the following offices:

(1) For multiunit residential construction by or on behalf of Federal, State or local public agencies—with the field office of the Public Housing Administration having jurisdiction in the area of the proposed construction.

(2) For private multiunit residential construction and for all 1- through 4-family residential structures—with the Office of the Administrator, Housing and Home Finance Agency, Washington 25, D. C., Attention: Defense Liaison Staff.

(d) Applications must be made by the owner of the proposed residential structure or project or his representative acting under a written authorization which must accompany the application.

(e) Copies of the aforementioned forms are available at the Central Office and all field offices of the Federal Housing Administration, Public Housing Administration, Office of the Administrator, Housing and Home Finance Agency, and the National Production Authority.

SEC. 4. *Action on applications; reconsideration.* (a) Each application referred to in the preceding section shall be determined and the authorization, allotment, priority assistance, adjustment, exception or other relief sought will be granted or denied in whole or in part, by the officials referred to in section 1 above, or their authorized designees.

(b) Any applicant adversely affected by the action taken upon his application may request reconsideration of such action upon the basis of any new and substantial facts not theretofore submitted. Each request for reconsideration shall set forth the new and substantial facts and must be submitted within 30 days from the date of the action of which reconsideration is requested or within 30 days from the effective date of this order. Each such request shall be determined in the same manner and upon the same considerations as are herein prescribed for the initial determination of applications.

(c) In passing upon applications or requests, initially or upon reconsideration, consideration will be given to the following where appropriate:

(1) Whether construction of the housing accommodations has already been started in accordance with then existing regulations;

(2) Whether the proposed construction will further the national defense by providing housing accommodations needed in a critical defense housing area as designated under the Defense Production Act of 1950, as amended, or the Defense Housing and Community Facilities and Services Act of 1951,

(3) Whether the proposed construction is needed in the community and is of the type which justifies the consumption of the controlled materials requested;

(4) Whether and to what extent the quantity and type of controlled materials intended or desired for the proposed construction is essential thereto;

(5) Whether there is or appears to be financing available so that the proposed construction can be completed;

(6) Whether the quantity and type of controlled materials allotted to HHFA for any one calendar quarter is sufficient to permit an allotment of the quantity and types of controlled materials required for such construction in that calendar quarter. Any applications denied because the controlled materials available to HHFA for allotment in any calendar quarter are not sufficient to permit approval of such applications will be denied without prejudice to their renewal for use in a subsequent calendar quarter;

(7) With respect to applications for an allotment of controlled materials for use in the construction of 1- through 4-family residential structures or of multiunit residential structures of a different type or in a greater quantity than may be obtained under the self-authorization procedure, whether denial of such application will result in unusual and exceptional hardship to the applicant;

(8) Standards or criteria relating to construction or the use of controlled materials in connection therewith, prescribed in any regulation, order, or statement of general policy issued by the Office of Defense Mobilization, Defense Production Administration, National Production Authority, or Housing and Home Finance Agency and published as required by law.

SEC. 5. *Appeals; grounds.* (a) Any applicant adversely affected by the action taken on his application or request under Revised CMP Regulation No. 6 may file an appeal with the CMP Appeals Board of the Housing and Home Finance Agency after such action has been taken, initially or upon reconsideration. No new or additional facts may be submitted upon such appeal unless requested by the Board.

(b) An applicant may request an appeal from a decision on an application for an authorized construction schedule, for an allotment of controlled materials, for a DO rating to secure other materials, or for an adjustment or exception from the provisions of Revised CMP Regulation No. 6, on one or more of the following grounds:

(1) That the decision fails to give due recognition to one or more of the factors set forth in section 4 (c) of this order;

(2) That the decision works an exceptional or unreasonable hardship on him;

(3) That the decision results in unreasonable discrimination against him; or

(4) That the decision is not in the public interest or in the interest of the national defense.

SEC. 6. *Rules for filing appeals*—(a) *Form of appeal.* An appeal may be instituted by the filing of three copies of a written notice, the original of which shall be signed by the appellant or his representative acting under a written authorization which must accompany the appeal, setting forth: (1) The name, address, and business of the appellant; (2) the nature of the action appealed from, including its date and case or file number and the order or regulation under which the action was taken; (3) the grounds of appeal; (4) a copy of the document or documents evidencing the action from which the appeal is taken. If a hearing is requested as provided below, such request must be in writing and should be filed with the appeal.

(b) *Time and place of filing of appeal.* The appeal shall be filed with the CMP Appeals Board, Office of the Administrator, Housing and Home Finance Agency, Washington 25, D. C., and shall be considered as filed upon receipt. An appeal may not be filed more than 45 days after the date of the decision from which the appeal is taken or more than 45 days from the date of this order, whichever is later.

(c) *Hearings on appeal.* Any person filing an appeal may request a hearing thereon which will be held at Washington, D. C. Notice of the time and place of such hearing will be given the appellant at least five days before the date set for the hearing. Such hearings will be informal and the appellant need not be represented by counsel unless he so wishes. If the appellant is represented by counsel in his absence, counsel must file a written authorization by the appellant to appear on the latter's behalf. The rules of evidence shall not be binding on the Appeals Board. No oath will be administered to witnesses but misrepresentations are punishable under the Federal statutes.

SEC. 7. *Decisions on appeal.* (a) Decisions will be made upon the record on appeal by the Board which shall not be required to render written opinions. The record on appeal shall consist of: (1) The application and all data and information filed in support thereof, (2) the request for reconsideration, if any, and additional facts or information in support thereof, (3) the recommendation of the operating officials or field office and all information, if any, in addition to that submitted by applicant and considered in passing upon the application or request, (4) the appeal and supporting papers, (5) any additional data or information, if any, which has been filed by request, and (6) any brief or

argument submitted in connection with the appea

(b) Every party to an appeal shall be notified of the decision on the appeal. Such notification shall be in writing and shall be given within five days after decision

(c) Decisions by the CMP Appeals Board shall be final and no further appeal may be taken to the Housing and Home Finance Administrator or to the National Production Authority

SEC 8 *Intervention by interested parties* In the discretion of the Board any person or government agency or department having an interest in any matter on appeal may submit pertinent information or data with respect to such matter

Effective as of the 15th day of January 1953

B T FITZPATRICK
Acting Housing and Home Finance Administrator

[F R Doc 53-411; Filed Jan 14 1953; 8:55 a m]

Chapter XXI—Office of Rent Stabilization, Economic Stabilization Agency

[Rent Regulation 1 Amdt 113 to Schedule A]

[Rent Regulation 2, Amdt 111 to Schedule A]

RR 1—HOUSING

RR 2—ROOMS IN ROOMING HOUSES, AND OTHER ESTABLISHMENTS

SCHEDULE A—DEFENSE-RENTAL AREAS

INDIANA NEW JERSEY, PENNSYLVANIA AND WISCONSIN

Effective January 15, 1953 Rent Regulation 1 and Rent Regulation 2 are amended so that the items indicated below of Schedule A read as set forth below.

(Sec 204, 61 Stat 197 as amended; 50 U S C App Sup. 1894)

Issued this 12th day of January 1953

JAMES McI HENDERSON,
Director of Rent Stabilization

State and name of defense rental area	Class	County or counties in defense rental area under regulation	Maximum rent date	Effective date of regulation
Indiana				
(102) Gary	B	Lake County, except the cities of Crown Point, East Chicago Hammond Hobart and Whiting, the towns of Dyer East Gary, Griffith, Highland, and Munster and the townships of Cedar Creek Eagle Creek, Hanover West Creek and Winfield	Mar 1 1942	Oct 1 1942
	C	do	Jan 1 1951	June 12 1952
	A	In Lake County the townships of Hanover and Winfield	do	Do
New Jersey				
(190) Northeastern New Jersey	B	In Essex County, the cities of East Orange, Newark, and Orange the townships of Caldwell, Cedar Grove, Livingston, and Millburn, the towns of Belleville, Bloomfield, Irvington, Montclair Nutley West Orange, the boroughs of Caldwell and Verona, and the village of South Orange and all unincorporated localities; in Middlesex County the cities of New Brunswick, Perth Amboy, and South Amboy the townships of Cranbury East Brunswick, Madison, Monroe, North Brunswick Piscataway, Raritan South Brunswick, and Woodbridge the boroughs of Carteret, Dunellen, Highland Park, Jamesburg, Metuchen, Middlesex, Sayreville South Plainfield, and South River, and all unincorporated localities; Monmouth County, except the boroughs of Farmingdale, Redbank, and Seabright, and all incorporated localities in the borough of Allentown and the townships of Millstone and Upper Freehold; in Somerset County, the townships of Bridgewater and Franklin, and the boroughs of Bound Brook, Manville, Raritan, Somerville, and South Bound Brook, and all unincorporated localities; in Union County, the cities of Elizabeth, Linden, and Rahway, the townships of Cranford, Hillside, and Union, the town of Westfield, the boroughs of Garwood, Roselle and Roselle Park and all unincorporated localities.	Mar 1,1942	July 1,1942
	C	Monmouth County, except the boroughs of Allentown, Farmingdale, Redbank, Roosevelt, and Seabright, and the townships of Millstone and Upper Freehold.	Aug. 1,1952	Nov. 6,1952
Pennsylvania				
(267) Pittsburgh	B	In Allegheny County, the cities of Clairton, Duquesne, McKeesport, and Pittsburgh, the townships of Aleppo Baldwin East Deer, Elizabeth, Forward, Harmar Harrison, Indiana, Lect, Neville, Richland, Sewickley South Fayette, South Versailles, Springdale, Stowe West Deer, and Wilkins, the boroughs of Aspinwall, Baldwin, Blawnox Brackenridge, Braddock, Braddock Hills Brentwood, Bridgeville Carnegie, Castle Shannon, Coraopolis, Dravosburg, East McKeesport, East Pittsburgh, Emsworth, Etna, Glassport, Glenfield, Heidelberg, Homestead, Leetsdale, McDonald, McKees Rocks, Millvale, Mount Oliver, Munhall, North Braddock, Pitcairn, Port Vue, Rankin, Sharpsburg, Springdale, Swissvale, Tarentum, Trafford, Turtle Creek, Verona, Versailles, Wall, West Elizabeth, West Homestead, West Mifflin, White Oak, and Wilmerding, and all unincorporated localities in Allegheny County, except those in the townships of Crescent, Franklin, Moon, Mount Lebanon, North Fayette, Ohio Penn, and Shaler, and the boroughs of Bethel, Churchill Elizabeth, Ingram, Rosslyn Farms and Wilkinsburg; in Armstrong County, the township of Pine, the boroughs of Ford City, Kittaning, North Appollo and West Kittaning, and all unincorporated localities; in Beaver County, the townships of Center, Hanover, Harmony, and Potter, the boroughs of Aliquippa Baden and Monaca, and that part of Beaver County north and east of the Ohio River (except the townships of Economy and Brighton and the boroughs of Ambridge, Beaver, and Conway), and all unincorporated localities in Beaver County, except those in the township of Brighton and the borough of Beaver; in Fayette County, the cities of Connellsville and Uniontown the townships of Dunbar, Franklin, German, Perry, Redstone, and Washington the boroughs of Belle Vernon Brownsville, Dawson, Dunbar, Everson, Fairchance, Fayette City, Masontown, South Connellsville, and Vanderbilt, and all unincorporated localities except those in the townships of Henry Clay, Stewart and Wharton; in Lawrence County the boroughs of Bessemer, and Ellwood City, and all unincorporated localities except those in the borough of New Wilmington; in Washington County, the cities of Monongahela and Washington the townships of Canton, East Pike Run, North Strabane Smith, and South Strabane the boroughs of Allenport Beallsville, Bentleyville California, Canonsburg Centerville, Charleroi, Coal Center, Cokeburg Donora, Dunlevy Ellsworth, McDonald, New Eagle, North Charleroi, Roscoe, Stockdale, West Brownsville, and all unincorporated localities except those in the townships of East Finley, Morris, South Franklin, and West Finley; in Westmoreland County, the cities of Arnold, Jeanette, Monessen, and New Kensington, the townships of East Huntingdon, Rostraver, Unity and Upper Burrell, the boroughs of East Vandergrift Export, Irwin Mount Pleasant, North Belle Vernon, North Irwin, Oklahoma, Penn Scottdale, South Greensburg, Trafford, Vandergrift, and West Newton, and all unincorporated localities in Westmoreland County except the township of Sewickley.	Mar 1, 1942	July 1 1942
	B	In Lawrence County, all incorporated municipalities except the city of New Castle and the boroughs of Bessemer, Ellwood City, and New Wilmington.	Sept 30, 1952	Oct 8, 1952
	C	Lawrence County, except the city of New Castle and the borough of New Wilmington; and in Beaver County, that portion of the borough of Ellwood City located therein.	Aug 1, 1952	Dec 10 1952
	A	In Lawrence County, the borough of New Wilmington	do	Do.
	C	That part of Beaver County north and east of the Ohio River, except the townships of Brighton, Economy and Harmony, and the boroughs of Ambridge, Baden, Beaver, and Conway, and that part of the borough of Ellwood City which lies in Beaver County.	Oct 1, 1950	Feb 28, 1952
	C	In Beaver County the townships of Center, and Potter, and the borough of Monaca.	do	Apr. 1, 1952
	A	In Beaver County, Brighton Township	do	Feb. 28, 1952
Wisconsin				
(364) Milwaukee	----	[Revoked and decontrolled.]		

These amendments decontrol the following based entirely on resolutions submitted under section 204 (j) (3) of the act:

The town of Dyer in Lake County, Indiana, a portion of the Gary Defense-Rental Area; the borough of Farmingdale in Monmouth County, New Jersey, a portion of the Northeastern New Jersey Defense-Rental Area; the city of New Castle in Lawrence County, Pennsylvania, a portion of the Pittsburgh Defense-Rental Area.

These amendments also decontrol:

(1) The cities of Cudahy, Milwaukee and St. Francis, the towns of Franklin and Greenfield, the villages of Fox Point and Hales Corners in Milwaukee County, Wisconsin, portions of the Milwaukee Defense-Rental Area, and all remaining unincorporated localities in the said Defense-Rental Area (the city of Milwaukee being the major portion of the Milwaukee Defense-Rental Area) based on resolutions submitted under section 204 (j) (3) of the act, and (2) any remaining incorporated localities in the Milwaukee Defense-Rental Area on the initiative of the Director of Rent Stabilization under section 204 (c) of the act.

[F. R. Doc. 53-400; Filed, Jan. 14, 1953; 8:52 a. m.]

[Rent Regulation 1, Amdt. 114 to Schedule A]

[Rent Regulation 2, Amdt. 112 to Schedule A]

RR 1—HOUSING

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE A—DEFENSE-RENTAL AREAS

NORTH CAROLINA

These amendments are issued as a result of joint certification(s) pertaining to critical defense housing areas by the Secretary of Defense and the Director of Defense Mobilization under section 204 (l) of the Housing and Rent Act of 1947, as amended, and a determination as to the relaxation of real estate construction credit controls under section 204 (m) of said act.

Effective January 15, 1953, Rent Regulation 1 and Rent Regulation 2 are amended so that the item of Schedule A reads as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 12th day of January 1953.

JAMES McL. HENDERSON,
Director of Rent Stabilization.

State and name of defense-rental area	Class	County or counties in defense-rental area under regulation	Maximum rent date	Effective date of regulation
North Carolina				
(216c) Grifton	A	In Pitt County, the town of Grifton	Aug. 1, 1952	Jan. 15, 1953

[F. R. Doc. 53-401; Filed, Jan. 14, 1953; 8:53 a. m.]

[Rent Regulation 1, Amdt. 36 to Schedule B]

[Rent Regulation 2, Amdt. 36 to Schedule B]

RR 1—HOUSING

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE B—SPECIFIC PROVISIONS RELATING TO INDIVIDUAL DEFENSE-RENTAL AREAS OR PORTIONS THEREOF

WEST VIRGINIA

Effective January 15, 1953, Rent Regulation 1 and Rent Regulation 2 are amended as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 12th day of January 1953.

JAMES McL. HENDERSON,
Director of Rent Stabilization.

1. Item 82 is added to Schedule B of Rent Regulation 1—Housing, reading as follows:

82. *Provisions relating to the Marion-Monongalia Counties, West Virginia Defense-Rental Area (Item 357 of Schedule A).*

With respect to housing accommodations in the Marion-Monongalia Counties, West Virginia Defense-Rental Area, section 141 of this regulation is changed to read as follows:

SEC. 141. *Alternate adjustment for increases in costs and prices.* The present maximum rent for the housing accommodation does not equal (1) 130 percent of the maximum rent in effect on June 30, 1947, or 130 percent of the maximum rent for comparable housing accommodations on June 30, 1947, if no maximum rent was in effect on that date; (2) plus or minus any increases or decreases in maximum rent ordered after June 30, 1947 under this regulation for major capital improvements or increases or decreases in living space, services, furniture, furnishings or equipment or substantial deterioration. The adjustment under this section shall be in an amount sufficient to cause the maximum rent to equal (1) 130 percent of the maximum rent in effect on June 30, 1947 for the housing accommodations or comparable housing accommodations, whichever is applicable; (2) plus or minus appropriate increases or decreases in rental value, if any, as specified herein: *Provided, however,* That the Director shall give appropriate consideration to orders issued under sections 157 or 162 decreasing maximum rents which were in effect on June 30, 1947. Adjustments under this section shall be effective automatically upon the filing of the petition if a maximum rent was in effect on June 30, 1947. In all other cases, they shall not be effective until the order is issued by the Director. All provisions of this regulation insofar as they are applicable to the territory to which this item of Schedule B relates are amended to the extent necessary to carry into effect the provisions of this item of Schedule B.

2. Item 88 is added to Schedule B of Rent Regulation 2—Rooms, reading as follows:

88. *Provisions relating to the Marion-Monongalia Counties, West Virginia Defense-Rental Area (Item 357 of Schedule A)*

With respect to housing accommodations in the Marion-Monongalia Counties, West Virginia Defense-Rental Area, section 138 is added to this regulation to read as follows:

SEC. 138. *Alternate adjustment for increases in costs and prices.* The present maximum rent for the room does not equal (1) 130 percent of the maximum rent in effect on June 30, 1947, or 130 percent of the maximum rent for comparable rooms on June 30, 1947, if no maximum rent was in effect on that date; (2) plus or minus any increases or decreases in maximum rent ordered after June 30, 1947 under this regulation for major capital improvements or increases or decreases in living space, services, furniture, furnishings or equipment or substantial deterioration. The adjustment under this section shall be in an amount sufficient to cause the maximum rent to equal (1) 130 percent of the maximum rent in effect on June 30, 1947 for the room or comparable rooms, whichever is applicable; (2) plus or minus appropriate increases or decreases in rental value, if any, as specified herein: *Provided, however,* That the Director shall give appropriate consideration to orders issued under sections 157 or 160 decreasing maximum rents which were in effect on June 30, 1947. Adjustments under this section shall be effective automatically upon the filing of the petition if a maximum rent was in effect on June 30, 1947. In all other cases, they shall not be effective until the order is issued by the Director. All provisions of this regulation insofar as they are applicable to the territory to which this item of Schedule B relates are amended to the extent necessary to carry into effect the provisions of this item of Schedule B.

[F. R. Doc. 53-404; Filed, Jan. 14, 1953; 8:54 a. m.]

[Rent Regulation 3, Amdt. 111 to Schedule A]

[Rent Regulation 4, Amdt. 53 to Schedule A]

RR 3—HOTELS

RR 4—MOTOR COURTS

SCHEDULE A—DEFENSE-RENTAL AREAS

INDIANA, PENNSYLVANIA, WISCONSIN, AND NEW JERSEY

Effective January 15, 1953, Rent Regulation 3 and Rent Regulation 4 are amended as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 12th day of January 1953.

JAMES McL. HENDERSON,
Director of Rent Stabilization.

1. Items 102, 267, and 364 of Schedule A of Rent Regulations 3 and 4 are amended to read as follows:

Name of defense-rental area	State	County or counties in defense-rental area under regulation	Maximum rent date	Effective date of regulation
(102) Gary	Indiana	Lake County, except the cities of Crown Point, East Chicago, Hammond, Hobart, and Whiting, the towns of Dyer, East Gary, Griffith, Highland and Munster, and the township of Cedar Creek, Eagle Creek, and West Creek.	Jan. 1, 1951	June 12, 1952
(267) Pittsburgh	Pennsylvania	That part of Beaver County north and east of the Ohio River, except the townships of Economy and Harmony, and the boroughs of Ambridge, Baden, Beaver, and Conway and that part of the borough of Ellwood City which lies in Beaver County.	Oct. 1, 1950	Feb. 28, 1952
		In Beaver County, the townships of Potter and Center and the borough of Monaca.	do	Apr. 1, 1952
		Lawrence County, except the city of New Castle; and in Beaver County, that portion of the borough of Ellwood City located therein.	Aug. 1, 1952	Dec. 10, 1952
(364) Milwaukee	Wisconsin	[Revoked and decontrolled.]		

2. Item 190 of Schedule A of Rent Regulation 4 is amended to read as follows:

Name of defense-rental area	State	County or counties in defense-rental area under regulation	Maximum rent date	Effective date of regulation
(190) Northeastern New Jersey.	New Jersey	Monmouth County, except the boroughs of Allentown, Farmingdale, Redbank, Roosevelt and Seabright, and the townships of Millstone and Upper Freehold.	Aug. 1, 1952	Nov. 6, 1952

These amendments decontrol the following based entirely on resolutions submitted under section 204 (j) (3) of the act:

The borough of Farmingdale in Monmouth County, New Jersey, a portion of the Northeastern New Jersey Defense-Rental Area, the town of Dyer in Lake County, Indiana, a portion of the Gary Defense-Rental Area, the city of New Castle in Lawrence County, Pennsylvania, a portion of the Pittsburgh Defense-Rental Area.

These amendments also decontrol:

(1) The cities of Cudahy, Milwaukee and St. Francis, the towns of Franklin and Greenfield, and the villages of Fox Point and Hales Corners in Milwaukee County, Wisconsin, portions of the Milwaukee Defense-Rental Area, and all unincorporated localities in the Defense-Rental Area (the said city of Milwaukee being the major portion of the Defense-Rental Area), based on resolutions submitted under section 204 (j) (3) of the act, and

(2) Any remaining incorporated localities in the Defense-Rental Area on the initiative of the Director of Rent Stabilization under section 204 (c) of the act.

[F. R. Doc. 53-402; Filed, Jan. 14, 1953; 8:53 a. m.]

[Rent Regulation 3, Amdt. 112 to Schedule A]

[Rent Regulation 4, Amdt. 54 to Schedule A]

RR 3—HOTELS

RR 4—MOTOR COURTS

SCHEDULE A—DEFENSE-RENTAL AREAS

NORTH CAROLINA

These amendments are issued as a result of joint certification(s) pertaining to critical defense housing areas by the Secretary of Defense and the Director of Defense Mobilization under section 204 (l) of the Housing and Rent Act of 1947, as amended, and a determination as to the relaxation of real estate construction credit controls under section 204 (m) of said act.

Effective January 15, 1953, Rent Regulation 3 and Rent Regulation 4 are amended so that the item of Schedule A reads as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 12th day of January 1953.

JAMES McI. HENDERSON,
Director of Rent Stabilization.

Name of defense-rental area	State	County or counties in defense-rental area under regulation	Maximum rent date	Effective date of regulation
(216c) Grifton	North Carolina	In Pitt County, the town of Grifton	Aug. 1, 1952	Jan. 15, 1953

[F. R. Doc. 53-403; Filed, Jan. 14, 1953; 8:53 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 14—LEGAL SERVICES, SOLICITOR'S OFFICE

SUBPART E—RECOGNITION OF ORGANIZATIONS, ACCREDITED REPRESENTATIVES, ATTORNEYS, AGENTS, RULES OF PRACTICE AND INFORMATION CONCERNING FEES, PUBLIC NO. 844, 74TH CONGRESS

MISCELLANEOUS AMENDMENTS

1. In § 14.626, the introduction is amended to read as follows:

§ 14.626 *Requirements for recognition of organizations.* The American Red Cross, American Legion, Disabled American Veterans, Grand Army of the Republic, United Spanish War Veterans, Veterans of Foreign Wars of the United States, and such other organizations as the Administrator of Veterans' Affairs shall approve may be recognized in the presentation of claims under the laws administered by the Veterans' Administration when the proper officers thereof make application for recognition on the form prescribed and furnished by the Veterans' Administration and, as a part of such application, agree and certify that neither the organization nor its representatives will charge or accept any fee or gratuity whatsoever for service rendered a claimant. In general, no additional organizations will be recognized after January 1, 1947, except (1) State or Governmental services or (2) organizations granted a charter or recognition by act of Congress.

* * * * *

2. In § 14.627, the introduction and paragraphs (a) through (e) are amended, and paragraph (f) is deleted so that § 14.627 reads as follows:

§ 14.627 *Accredited representatives.* Recognized organizations shall file with the Veterans' Administration on the prescribed form furnished by the Veterans' Administration (VA Form 2-21, Recommendation for Accreditation of Representative of an Organization), the name of any person whom they desire recognized as accredited representative thereof. In recommending a person for recognition as a representative, the organization, through its appropriate officer, shall certify to the following: (1) That the designee is a citizen of the United States, of good character and reputation, is qualified by ability and experience to present claims, and that he is a member in good standing or a full time, paid employee of the organization. (2) Whether accredited to any other recognized organizations, and, if so, the name or names thereof. (3) That he is not employed in any civil or military department or agency of the United States, and that he has not, within the past 2 years held any such position which involved any action respecting claims in the Veterans' Administration. (4) If a veteran, the nature of his discharge or separation from the active service. Recommendations for accreditation of representatives of national service organizations will be ac-

cepted only if approved by the national certifying officer of such organization.

(a) The recommendation for accreditation (VA Form 2-21) executed by a national organization will be filed with the office of the solicitor. The recommendation for accreditation (VA Form 2-21) executed by a State organization may be filed with a regional office in the State in which the designee is to serve, or with the office of the solicitor. All recommendations will be approved or disapproved by the solicitor.

(b) A recommendation (VA Form 2-21) received in central office may be sent to the appropriate regional office if necessary, to secure sufficient facts to justify a determination whether the designee is qualified. The report of the chief attorney ant the recommendation of the manager together with Va Form 2-21 will be transmitted to the solicitor. If VA Form 2-21 is filed in a regional office, the manager will report to the solicitor whether the designee is qualified. If the designee is approved, FL 2-3, Notice to Veteran's Representative of Recognition, will be issued by the solicitor.

(c) Letters of recognition (FL 2-3) or card issued by the solicitor (VA Form 2-3192, Service Organization Representative Identification Card) will constitute authorization for the recognition of accredited representatives designated therein, in all offices (including hospitals and homes) of the Veterans' Administration. Record will be maintained in the office of the solicitor of all recognitions issued.

(d) Recognition of an accredited representative will be canceled at the request of the organization. A manager may suspend recognition in any case for cause, sending a report to central office, attention of the solicitor, for final determination. In cases of extraordinary misconduct involving criminal action, cancellation may be effected immediately by the field office, subject to review by the office of the solicitor.

(e) An information bulletin will be issued monthly by the office of the solicitor listing all new accreditations and cancellations. This will constitute notice to all concerned on this subject.

3. In § 14.628, paragraph (a) is amended to read as follows:

§ 14.628 *Powers of attorney.* (a) Before an organization may be recognized in an individual claim, there must be filed a power of attorney (VA Form 2-22) duly executed by the claimant specifically conferring upon the organization the authority to represent the claimant in the presentation of his claim and to receive information in connection therewith, which power of attorney shall be presented to the Veterans' Administration office concerned to be filed in the veteran's folder. The claimant may also authorize release to a local organization information necessary to develop his claim and as to action thereon. The power of attorney must be signed by the claimant; or by the guardian, if any, or, in case of an incompetent without guardian, by wife, parent, or other near relative (if interests are not adverse), or manager of hospital in which veteran is maintained. An organization which has filed a power of attorney in the case of a veteran shall, in the event of death of the veteran, and if the organization so desires, be recognized for a reasonable period thereafter, unless a new power of attorney is filed.

* * * * *

4. In § 14.629, paragraph (b) is amended to read as follows:

§ 14.629 *Recognition of attorneys and agents.* * * *

(b) Recognition of attorneys is decentralized to managers of regional offices, the functions to be a part of the duties of the chief attorney, but such recognition may be granted also by the solicitor. Any member in good standing of the bar of a State, territory, or possession of the United States, or of the bar of the District of Columbia, who is a citizen of the United States or who has declared his intention to become such a citizen, may apply for recognition as attorney on VA Form 2-3186, Application for Recognition as Attorney. If his recognition is not precluded by any statutory or regulatory provision and he has never been convicted whether on trial or plea of a serious penal offense, including any violation of any penal provisions respecting fees, his application will be approved and returned to him to be used as evidence of his recognition to practice before the Veterans' Administration.

* * * * *

5. Section 14.631 is revised to read as follows:

§ 14.631 *Knowledge of laws.* An applicant for recognition as attorney will be presumed to have such knowledge of the law and regulations as to qualify him to render substantial service and may be recognized by the chief attorney or the solicitor if his application shows he meets the requirements of § 14.629 (b) Any duly recognized attorney will, for the purpose of receiving appropriate information in a specific case, be accorded such recognition by central office or any district or regional office to which he presents a duly certified or attested copy of his notification of recognition as attorney, together with the original or similarly exemplified copy of power of attorney. (See § 14.639 as to recognition in individual cases.)

6. Section 14.632 *Character and citizenship* is revoked.

7. Sections 14.633, 14.634, and 14.635 are revised to read as follows:

§ 14.633 *Agents; requirements for recognition.* Any competent person of good moral character and of good repute who is a citizen of the United States, or who has declared his intention to become such a citizen, and who is not engaged in the practice of law may be recognized as an agent, if not prohibited by law, to represent claimants before the Veterans' Administration by presenting to the solicitor, a properly executed application on the form prescribed by the Administrator, VA Form 3187, Application for Recognition as Agent. Applicants for recognition as agents may be required to prove their fitness to render substantial service by undergoing a written examination testing their knowledge of the laws administered by the Veterans' Administration and regulations promulgated thereunder.

§ 14.634 *Notification of recognition of attorneys by field stations.* When an attorney has been recognized by a chief attorney, a 3 x 5 card will be prepared showing his name, address, and date of recognition. A copy of this card will be forwarded to the office of the solicitor and any other office in which the attorney requests that his recognition be recorded. When an attorney has been recognized by the solicitor, no copy of the 3 x 5 card will be sent to the chief attorney unless the attorney specifically requests that his recognition be recorded in a certain office.

§ 14.635 *Suspension and revocation of recognition.* Whenever information is received that an attorney or agent recognized by the Veterans' Administration is or has engaged in unlawful, unprofessional, or dishonest practice, or is incompetent, or has violated or refused to comply with the laws, regulations, and rules governing his recognition before the Veterans' Administration, or who shall in any manner deceive, mislead, or threaten any claimant or prospective claimant by word, circular, letter, or advertisement, the solicitor shall give the accused attorney or agent due notice with a statement of the charge or charges against him, which statement shall be sufficiently specific to permit the accused intelligently to make answer thereto, and shall cite said attorney or agent to show cause within 30 days, which time limit may be extended, why his recognition should not be suspended or revoked. Where deemed proper, the recognition of an attorney or agent may be temporarily suspended without notice, pending action as provided in this section.

8. Section 14.637 is revised to read as follows:

§ 14.637 *Answer to charges.* If an answer, under oath, is filed denying the charges, or so explaining them as to raise an issue thereon, a time and place shall then be set for the taking of testimony. The testimony shall be taken at as convenient a place as possible for both the Government and the defendant, and notice shall be served on the defendant informing him of the time and place at which testimony will be taken for the Government, in order that he may be present and cross-examine the witnesses. Testimony shall be reduced to writing and be signed by the witnesses, unless otherwise stipulated, and may be taken before a chief attorney, attorney examiner, or other officer or agent of the Veterans' Administration designated by the solicitor for that purpose. The testimony, together with any brief desired to be presented by the person charged, will be considered by a board designated for such purpose, which shall recommend to the solicitor the action to be taken. If the charge or charges be sustained, the

solicitor, if he concurs in the recommendation, will suspend or revoke the recognition of such attorney or agent, or take such other action thereon as the facts warrant.

9. Section 14.643 *Notification of rejection of claim and termination of interest of attorney or agent in claim* is revoked.

10. Sections 14.644 and 14.645 are revised to read as follows:

§ 14.644 *Revocation of power of attorney and discharge of attorney or agent.* The claimant shall have the privilege of exercising his right at any stage of the claim to revoke a power of attorney and discharge his admitted attorney or agent upon a showing of cause deemed good and sufficient by the adjudicating agency or the board of veterans appeals, as the case may be.

§ 14.645 *Willful withholding of application for benefits.* The willful withholding of an application for benefits or material evidence by an agent or attorney for any cause shall render the recognition of such agent or attorney liable to suspension or revocation.

11. Section 14.649 is revised to read as follows:

§ 14.649 *Supplying VA Form 2–22a.* Attorneys and agents will be furnished with sufficient copies of VA Form 2–22a, Power of Attorney, Designation of Attorney or Agent. However, an attorney or agent may furnish his own form of power of attorney but must fully comply with § 14.641. This power of attorney to be valid must contain substantially the same information as required in VA Form 2–22a. Every attorney, agent, or other person recognized as entitled to present claims before the Veterans' Administration shall submit to the solicitor, in duplicate, copies of all proposed forms and letterheads intended for use in connection with business before the Veterans' Administration, and the solicitor will notify such attorney or agent of his approval or disapproval. The use by an attorney or agent of the characters "U. S." or the words "United States" as a part of his title or the title of his business shall not be permitted. The publication or circulation of ordinary simple business cards, being a matter of personal taste or local custom, and sometimes of convenience, is not of itself improper, but solicitation of business by circulars or advertisements, or by personal communications or interviews, not warranted by personal relations is unprofessional and will render the recognition of an attorney or agent liable to suspension or revocation.

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11a, 426, 707. Interpret or apply secs. 200–203, 49 Stat. 2031, 2032; 38 U. S. C. 101–104)

This regulation is effective January 15, 1953.

[SEAL] H. V STIRLING,
Deputy Administrator

[F. R. Doc. 53–365; Filed, Jan. 14, 1953; 8:45 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Reclamation, Department of the Interior

PART 402—SALE OF LANDS IN FEDERAL RECLAMATION PROJECTS

SUBPART A—PUBLIC LANDS

Sec.
402.1 Purpose of this subpart.
402.2 What lands may be sold; method of sale; limit of acreage.
402.3 Power to sell.
402.4 Citizenship requirement.
402.5 Procedures within the Department.
402.6 Price.
402.7 Notice of sale.
402.8 Terms of sale.
402.9 Contracts.
402.10 Patent.
402.11 Termination or cancellation.

AUTHORITY: §§ 402.1 to 402.13 issued under sec. 15, 53 Stat. 1198, sec 5, 64 Stat. 40; 43 U. S. C. 485i, 43 U. S. C. Sup. 375f. Interpret or apply secs. 1–3, 41 Stat. 605, 606, secs. 1–6, 46 Stat. 367, sec. 11, 53 Stat. 1197; 43 U. S. C. 375, 424–424e, 375a.

§ 402.1 *Purpose of this subpart.* The regulations in this subpart apply to the sale of certain classes of lands that are subject to the reclamation laws and that may be sold under one of the following statutes:

(a) The act of May 20, 1920 (41 Stat. 605; 43 U. S. C. 375)

(b) The act of May 16, 1930 (46 Stat. 367; 43 U. S. C. 424–424e) or

(c) The act of March 31, 1950 (64 Stat. 39; 43 U. S. C. Sup. 375b–375f)

§ 402.2 *What lands may be sold, method of sale; limit of acreage.* (a) Lands which may be sold under the act of May 20, 1920 (41 Stat. 605; 43 U. S. C. 375) are lands, not otherwise reserved, which have been withdrawn in connection with a Federal irrigation project and improved at the expense of the reclamation fund for administration or other like purposes and which are no longer needed for project purposes. Not more than 160 acres of such lands may be sold to any one person. With one exception, such lands must be sold at public auction. If, however, a tract is appraised at not more than $300, it may be sold at private sale or at public auction and without regard to the provisions of the act of May 20, 1920 respecting notice of publication and mode of sale.

(b) Lands which may be sold under the act of May 16, 1930 (46 Stat. 367; 43 U. S. C. 424–424e) are tracts of temporarily or permanently unproductive land of insufficient size to support a family. A purchaser must be a resident farm owner or entryman on the Federal irrigation project where such lands are located and is permitted to purchase not more than 160 acres or an area which, together with lands already owned or entered on such project, does not exceed 320 acres. A resident farm owner means a farm owner who is actually residing on the farm he owns, and a resident entryman means a homestead entryman who is actually residing on the land in his homestead entry. These lands may be sold either at public auction or at private sale.

(c) Lands which may be sold under the act of March 31, 1950 (64 Stat. 39; 43 U. S. C. Sup., 375b–375f) are tracts of land too small to be classed as farm units under the Federal reclamation laws. A purchaser must be a resident farm owner or entryman (as defined in paragraph (b) of this section) on the Federal irrigation project where such lands are located and is permitted to purchase not more than 160 acres or an area which, together with land already owned or entered on such project, does not exceed 160 irrigable acres. These lands may be sold either at public auction or at private sale.

§ 402.3 *Power to sell.* The Commissioner of Reclamation may, in accordance with the regulations in this subpart, sell lands under each of the three statutes listed in § 402.1. An Assistant Commissioner or an official in charge of an office, region, division, district, or project of the Bureau of Reclamation, if authorized in writing by the Commissioner of Reclamation, may also sell lands under the statutes mentioned in accordance with this subpart, and whenever the term "Commissioner" is used in this subpart, it includes any official so authorized.

§ 402.4 *Citizenship requirement.* Before patent may be issued to a purchaser under the regulations in this subpart, he must furnish satisfactory evidence that he is a citizen of the United States.

§ 402.5 *Procedures within the Department.* (a) Before offering any land for sale under any of the statutes listed in § 402.1, the Commissioner should determine that the sale will be in the best interest of the project in which the lands are located and, if the lands sold are to be irrigated, that there is a sufficient water supply for such irrigation.

(b) When a decision is made to offer lands for sale under any of the statutes listed in § 402.1, (1) the Commissioner should notify the Regional Administrator of the Bureau of Land Management in whose region the lands are located, (2) a report showing the status of the lands should be obtained from the Manager of the appropriate office of the Bureau of Land Management, and (3) a report should be obtained from the Geological Survey with respect to the mineral resources of the lands. A copy of the report of the Geological Survey should be furnished to the Manager of the appropriate land office of the Bureau of Land Management for his use in preparing the final certificate.

§ 402.6 *Price.* The price of land sold under this subpart shall be not less than that fixed by independent appraisal approved by the Commissioner.

§ 402.7 *Notice of sale.* The sale of lands at public auction under this part shall be administered by the Commissioner. Notice of such sales shall be given by publication in a newspaper of general circulation in the vicinity of the lands to be sold for either not less than 30 days or once a week for five consecutive weeks prior to the date fixed for any such sale. Under the act of May 20, 1920

(41 Stat. 605; 43 U. S. C. 375) notice of sales of lands appraised at more than $300 shall also be given by posting upon the land. In the case of all sales under this subpart notice may be given by such other means as the Commissioner may deem appropriate. Where lands are to be sold at private sale, no public notice shall be required.

§ 402.8 *Terms of sale.* (a) Under the acts of May 16, 1930 (46 Stat. 367; 43 U. S. C. 424–424e) and March 31, 1950 (64 Stat. 39; 43 U. S. C. Sup., 375b–375f) lands may be sold either for cash or upon deferred payments. A sale providing for deferred payments shall be upon terms to be established by the Commissioner, except that the Commissioner shall require the annual payment of interest at six percent per annum on the unpaid balance.

(b) Under the act of May 20, 1920 (41 Stat. 605; 43 U. S. C. 375) lands may be sold either for cash or upon deferred payments. In connection with a sale providing for deferred payments the Commissioner shall require that not less than one-fifth the purchase price in cash be paid at the time of sale and that the remainder be payable in not more than four annual payments with interest at six percent per annum on the unpaid balance.

(c) All payments shall be made to the official of the Bureau of Reclamation specified in the contract of sale.

§ 402.9 *Contracts.* A contract in form approved by the Commissioner shall be signed by the purchaser at the time of sale and executed on behalf of the United States by the Commissioner. A copy of the contract shall be furnished to the appropriate land office of the Bureau of Land Management for entering in the tract books. The contract shall contain a description of the land to be sold, the price and terms of sale, a full statement by the purchaser respecting his qualifications, including citizenship, a description by the purchaser of his present holdings, and a statement by him of the irrigable acreage of those holdings. The contract shall also contain a statement by the purchaser with respect to his knowledge as to whether the land is mineral or non-mineral in character, as well as all appropriate reservations, mineral and otherwise, required by law to be made on entries and patents. Assignments of contracts may be made only with the consent of the Commissioner and to persons legally qualified to be purchasers.

§ 402.10 *Patent.* When a purchaser has complied fully with the provisions of his contract and with the applicable provisions of law, including the regulations in this subpart, the Commissioner shall issue to the purchaser a final receipt so stating. The receipt shall show any liens that, under the reclamation laws, must be indicated in the final certificate and patent and shall state the statutory authority for such liens. The receipt shall be submitted to the Manager of the appropriate land office of the Bureau of Land Management and the Manager shall prepare a final certificate for the issuance of patent to the purchaser. The Manager shall show in the final certificate the above-mentioned reclamation liens and any reservations that are required by law to be made on the patent.

§ 402.11 *Termination or cancellation.* Immediately upon the termination or cancellation of any contract for nonpayment or other appropriate reason the Commissioner shall notify the proper office of the Bureau of Land Management in order that the tract books located there may reflect the termination or cancellation of the contract.

OSCAR L. CHAPMAN,
Secretary of the Interior.

JANUARY 2, 1953.

[F. R. Doc. 53-372; Filed, Jan. 14, 1953; 8:47 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 10354]

PART 3—RADIO BROADCAST SERVICES

TABLE OF ASSIGNMENTS FOR TELEVISION BROADCAST STATIONS; ABBEVILLE, LOUISIANA

In the matter of amendment of § 3.606 *Table of assignments,* rules governing television broadcast stations; Docket No. 10354.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 7th day of January 1953;

The Commission having under consideration its Notice of Proposed Rule Making issued on December 4, 1952 (FCC 52–1558) and published in the FEDERAL REGISTER on December 9, 1952 (17 F. R. 11148) proposing to assign UHF Channel 27+ to Abbeville, Louisiana, in lieu of UHF Channel 42— in order to correct a substandard assignment spacing in the Table of Assignments;

It appearing that in accordance with the provisions of paragraph 4 of the aforesaid Notice of Proposed Rule Making, the time for filing comments therein expired December 23, 1952; and

It further appearing that no comments opposing the proposed amendment were filed;

It is ordered, That effective 30 days from the publication in the FEDERAL REGISTER, the Table of Assignments contained in § 3.606 of the Commission's rules and regulations is amended as follows:

City	Channel No.
Abbeville, La	27+

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interprets or applies secs. 301, 303, 307, 48 Stat. 1081, 1082, as amended, 1034; 47 U. S. C. 301, 303, 307)

Released: January 9, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 53-431; Filed, Jan. 14, 1953; 8:58 a. m.]

[Docket No. 10356]

PART 3—RADIO BROADCAST SERVICES

TABLE OF ASSIGNMENTS FOR TELEVISION BROADCAST STATIONS; WARNER ROBINS, GEORGIA

In the matter of amendment of § 3.606, *Table of assignments,* rules governing television broadcast stations; Docket No. 10356.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 7th day of January 1953;

The Commission having under consideration its Notice of Proposed Rule Making issued on December 11, 1952 (FCC 52–1582) and published in the FEDERAL REGISTER on December 30, 1952 (17 F. R. 11824), proposing to assign Channel 13 to Warner Robins, Georgia, a community not listed in the Table of Assignments and not within 15 miles of a community so listed;

It appearing that in accordance with the provisions of paragraph 7 of the aforesaid Notice of Proposed Rule Making, the time for filing comments therein expired January 5, 1953; and

It further appearing that no comments opposing the proposed amendment were filed;

It is ordered, That effective 30 days from the publication in the FEDERAL REGISTER, the Table of Assignments contained in § 3.606 of the Commission's rules and regulations is amended as follows:

Add to Table of Assignments under the State of Georgia:

	Channel No.
Warner Robins	13+

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interprets or applies secs. 301, 303, 307, 48 Stat. 1081, 1082, as amended, 1034; 47 U. S. C. 301, 303, 307)

Released: January 9, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 53-432; Filed, Jan. 14, 1953; 8:58 a. m.]

PART 16—LAND TRANSPORTATION RADIO SERVICES

MISCELLANEOUS AMENDMENTS

In the matter of amendment of §§ 16.54 (a) and 16.152 (b) of the Commission's rules and regulations to effect certain editorial changes therein.

The Commission having under consideration the desirability of making certain editorial changes in §§ 16.54 (a) and 16.152 (b) of its rules and regulations; and

It appearing that the amendments adopted herein are editorial in nature, and, therefore, prior publication of Notice of Proposed Rule Making under the provisions of section 4 of the Administrative Procedure Act is unnecessary, and the amendments may become effective immediately; and

It further appearing, that the amendments adopted herein are issued pur-

suant to authority contained in sections 4 (i) 5 (d) (1) and 303 (r) of the Communications Act of 1934, as amended, and paragraph F-6 of the Commission's Order Defining the Functions and Establishing the Organizational Structure of the Office of the Secretary, dated February 14, 1952, as amended;

It is ordered, This 7th day of January 1953, that, effective immediately, §§ 16.54 (a) and 16.152 (b) of the Commission's rules and regulations are revised as set forth below:

1. In the last sentence of § 16.54 (a) delete reference to § 16.56 (h) and insert in lieu thereof reference to § 16.56 (g)

2. In the third sentence of § 16.152 (b) insert the word "international" between the words "harmful" and "interference"

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interpret or apply sec. 303, 48 Stat. 1082, as amended, sec. 5, 66 Stat. 713; 47 U. S. C. 303, 155)

Released: January 8, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 53-433; Filed, Jan. 14, 1953; 8:58 a. m.]

[Docket No. 9828]

PART 63—EXTENSION OF LINES AND DISCONTINUANCE OF SERVICE BY CARRIERS

MISCELLANEOUS AMENDMENTS

In the matter of amendment of Part 63 of the Commission's rules and regulations governing Extension of Lines and Discontinuance of Service by Carrier: Docket No. 9828.

On November 16, 1950, the Commission released a Notice of Proposed Rule-Making to amend Part 63 of its rules and regulations entitled "Extension of Lines and Discontinuance of Service by Carriers" The Notice of Proposed Rule-Making was published in the FEDERAL REGISTER on November 22, 1950 (15 F R. 7991) The basic purpose of the proposal was to spell out the data to be furnished by public coast station licensees when filing applications under this part of our rules. Comments regarding the proposed amendments were submitted by the American Telephone and Telegraph Company, Mackay Radio and Telegraph Company, Inc., and Radiomarine Corporation of America, respectively.

American Telephone and Telegraph Company limited its comments to the proposed § 63.63 (a) (3) and suggested that it be modified to specify a 15-day period for the licensee of a public coast station in which to file an emergency application instead of 10 days as proposed. This change has been adopted.

The respective comments filed by Mackay and Radiomarine are substantially identical. These carriers generally objected to the proposed provisions of new §§ 63.69 and 63.600 which set forth the information required to be furnished by carriers in informal and formal applications, respectively, for authority to discontinue, reduce or impair service provided by a carrier. The pertinent substantive comments of these latter carriers are considered below in connection with the specific section of the rules involved.

In its comments, Mackay requested that action on the proposed rules be deferred until either (1) the interested carriers had an opportunity to discuss with members of the Commission staff the proposed amendments and the various aspects of the public coast service involved, or (2) the interested carriers had an opportunity to present oral argument on the proposed rules.

Pursuant to that request, an informal conference was held on January 22, 1951 with representatives of each of the parties that filed comments and members of the Commission's staff.

The Commission has given careful consideration to all the comments submitted formally and informally by the carriers. Certain of the comments suggested by the carriers have been incorporated in the proposed amendments. Other comments have not been adopted because it does not appear that the public interest, convenience or necessity would be served by such proposed changes. It does not appear that any useful purpose would be served by holding oral argument on this rule-making proposal.

The primary purpose of the proposed rule is to establish a guide to licensees of public coast stations in the preparation of applications for authority to discontinue, reduce or impair service, as required by section 214 of the Communications Act, as amended, in order that all pertinent and factual data will be available to the Commission to permit a prompt determination as to whether the application should be approved. We believe that the instant amended rules accomplish this purpose.

Section 63.69 is a new section which makes provision for the filing of an informal application by a public coast station licensee for the reduction of hours of service under certain specified conditions. The proposed rule sets forth the specific conditions under which such an application may be granted. It also provides that, unless the applicant is notified to the contrary, the reduction in hours of service may be effected 15 days after the date of filing such an application.

Both Mackay and Radiomarine objected to that portion of § 63.69 which provides that reductions may be effected under the proposed informal procedure if the remaining hours of service at the station will not be less than 10 hours per day Monday through Saturday, and if the average number of messages handled during each hour to be deleted is not more than 2 and the maximum number of messages handled in any hour to be deleted is not more than 4. These carriers stated that the 60-hour per week minimum was unrealistic since the standard work week of public coast station employees consists of five 8-hour days, or 40 hours per week, and the extra 20 hours of service per week would be difficult to cover because it would involve overtime and other uneconomical practices.

Information available in the Commission's records shows that most of the public coast stations now licensed are open on a 24-hour daily basis seven days per week. Under the standards proposed, the hours of service of such stations could be reduced considerably by this informal procedure before reaching the minimum proposed. Upon further consideration, the Commission believes that its objectives would be met by the aforementioned criteria as to the average number of messages handled during each hour to be deleted. Accordingly, we have deleted that portion of the proposed rule specifying a minimum 60-hour week.

Objection was also taken to § 63.69 (a) (3) which provides that the Commission may require the carrier forthwith to restore service at any time within six months after the Commission has authorized a reduction in hours of service under this informal application procedure. It was contended that the Commission should not require the restoration of former hours of service without a hearing, and it was suggested that section 214 appears to require a hearing in such cases. However, section 214 (c) specifically provides that the Commission may attach to a certificate "such terms and conditions as in its judgment the public convenience and necessity may require" The act does not require that the carriers be afforded a hearing in such cases. It is noted that a similar provision has been included in the existing rules since they were first adopted (§ 63.67) Accordingly, since the informal application procedure is designed to facilitate the processing of such applications for the convenience of the carriers and because such authority is automatically granted within 15 days, it is concluded that such a condition is reasonable and desirable in such cases.

Mackay and Radiomarine objected to the proposal to require posting of public notice that the licensee intends to discontinue, reduce or impair the service afforded by a public coast station. They contend that the public coast stations using telegraphy and telephony are not generally accessible to members of the public for the purpose of filing or receiving messages, and, therefore, the posting of a public notice would serve no useful purpose. While it appears that most of the stations do not have offices generally accessible to the public for filing or receiving messages, there are some public coast stations that are accessible to the public. In such cases, the public will be given notice of the proposed closure or reduction in hours of service. In certain other cases, where the public coast station is not accessible, an associated public office may be provided by the carrier where members of the public may file or receive messages. But even where there is no established public office, it appears desirable to require such procedure for the benefit of any interested person. We are of the view, therefore, that the proposal to require the posting of a notice would serve a useful purpose.

Section 63.600 sets forth, in tabulated form, the various items of information to be supplied by public coast station

licensees in formal applications for authority to discontinue, reduce or impair the service provided by such stations. It was urged generally that much of the information required by this section was superfluous, inappropriate and burdensome. Accordingly, a revision of that rule has been made to meet those objections. However, it is pertinent to note that this section is designed to govern the filing of applications for all public coast stations, including those employing radiotelegraphy and radiotelephony, whether they serve ships on the high seas and on the Great Lakes, or ships on coastal or inland waterways, and whether they use low, medium or high frequencies; or frequencies in the very high spectrum to provide a guide for the filing of applications by licensees of all these different categories of stations and is, therefore, somewhat more comprehensive than would be the case if only the public coast stations' service to ships on the high seas were involved. In any case, however, each applicant may use the form as a general guide in furnishing all the information which appears to be pertinent and omitting any information which is not relevant to the particular coast station involved.

In view of the foregoing, it is concluded that the public interest, convenience, and necessity would be served by the adoption of the subject rules. Accordingly, pursuant to the authority contained in sections 4 (i) 214, 301 and 303 of the Communications Act of 1934, as amended, *It is ordered,* This 7th day of January 1953, that Part 63 of the Commission's rules is amended as set forth below, to become effective February 23, 1953.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interpret or apply secs. 214, 301, 303, 48 Stat. 1075, as amended, 1081, 1082; 47 U. S. C. 214, 301, 303)

Released: January 8, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

Part 63, the Commission's rules and regulations governing Extension of Lines and Discontinuance of Service by Carriers is amended as follows:

1a. In § 63.60, substitute the following text for the present text of subparagraph (1) of paragraph (a)

(1) The closure by a carrier of a public telegraph office, a telephone exchange rendering interstate or foreign telephone toll service, a public toll station serving a community or part of a community, or a public coast station;[1] the term "closure" of a public telegraph office includes the substitution of an agency or jointly operated office for a telegraph office operated directly by the carrier but does not include the substitution of any one for any other of the three types of telegraph agency offices, namely: Joint railroad-operated agencies, teleprinter-operated agencies, or telephone-operated agencies, except where an increase in charges to the public results;

[1] See § 7.3 of this chapter.

b. Amend subparagraph (2) of paragraph (a) by placing parenthesis around the clause beginning with "except" and ending with "carrier" by deleting the semicolon after "carrier", by inserting a comma following the parenthetical clause, and also by inserting the phrase "or at a public coast station;"

c. Amend paragraph (b) by inserting "10 days in the case of public coast stations;" after "jointly operated or agency telegraph offices;"

2. In § 63.61 cross reference the following footnote with the word "discontinue" in line 4:

[2] A licensee of a radio station who has filed an application for authority to discontinue service provided by such station shall, during the period that such application is pending before the Commission, continue to file appropriate applications as may be necessary for extension or renewal of station license in order to provide legal authorization for such station to continue in operation pending final action on the application for discontinuance of service.

3a. In § 63.62, substitute the following text for the present text, leaving the present heading unchanged:

§ 63.62 *Type of discontinuance, reduction or impairment of telephone or telegraph service requiring formal application.* Authority for the following types of discontinuance, reduction or impairment of service shall be requested by formal application containing the information required by the Commission in the appropriate sections to this part, except as provided in paragraphs (c) and (e) of this section, or, in emergency cases,[3] as provided in § 63.63:

(a) The dismantling or removal of a trunk line: (For contents of applications, see § 63.500.)

(b) The severance of physical connection or the termination or suspension of the interchange of traffic with another carrier: (For contents of application, see § 63.501.)

(c) The closure of, or reduction of hours of service at, a public telegraph office, except that this paragraph shall not apply to the classes of cases specified in §§ 63.64, 63.66, 63.67 and 63.68 where the carrier elects to follow the procedure prescribed in those sections: (For contents of application, see §§ 63.502 and 63.503.)

(d) The closure of a public toll station where no other such toll station of the applicant in the community will continue service: (For contents of application, see § 63.504.)

(e) The closure of, or reduction of hours of service at, a public coast station: (For contents of application, see § 63.600) except that this paragraph shall not apply to the cases specified in § 63.69 where the carrier elects to follow the procedure prescribed in that section;

(f) Any other type of discontinuance, reduction or impairment of telephone or telegraph service not specifically provided for by other provisions of this part: (For contents of application, see § 63.505.)

Provided, however, That an application may be filed requesting authority to make a type of reduction in service under specified standards and conditions in lieu of individual applications for each instance coming within the type of reduction in service proposed.

b. Substitute the following footnote for the present footnote to § 63.62:

[3] See § 63.60 (b).

4a. In § 63.63, amend paragraph (a) by inserting a comma after "agency offices" in (b) thereof and a new (c) as follows: "(c) 15 days in the case of public coast stations"

b. Redesignate the present (c) of paragraph (a) to become (d)

5. In § 63.64, amend the headnote by deleting the period and adding "or public coast station" after "public telegraph offices" at the end thereof.

6a. Insert a new § 63.69 to read as follows:

§ 63.69 *Alternative procedure to be followed in certain specified cases where authority to reduce the hours of service at a public coast station is desired.* (a) In lieu of filing a formal application, a carrier may file in quintuplicate an informal request, duly verified, or affirmed according to law, for authority to reduce the hours of service of a public coast station under the following specified standards and conditions:

(1) The average hourly number of messages handled during each hour to be deleted, as reflected by traffic statistics for the latest month for which such statistics are available, if a normal month with respect to conditions generally affecting traffic volume, is not more than 2 messages per hour, and the maximum number of messages handled in any hour to be deleted, as reflected by the above-mentioned statistics, is not more than 4 messages per hour;

(2) Applicant will file with the Federal Communications Commission a form in quintuplicate for the public coast station at which reduction in hours is proposed, giving the information called for on the sample form appearing in § 63.601. Applicant will not effect such reduction in hours of operation until fifteen days after such form is filed with the Federal Communications Commission, and will not reduce hours in any case, if advised by the Commission, within such fifteen-day period, not to effect such reduction.

(3) Upon written request from the Commission at any time within 6 months from the effective date of a reduction in the hours of service at any public coast station as authorized under this section, applicant will forthwith re-establish the former hours and will retain such hours unless and until authorized to reduce them upon individual and specific application to the Commission.

(4) Applicant will post a public notice at least 20 inches by 24 inches, with letters of commensurate size, in a conspicuous place in the public coast station [4] involved for a period of fourteen consecutive days, seven days of which shall be prior to the effective date of such reduction in hours of service, and seven days of which shall follow such effective date, such notice shall be in the following form:

Notice is hereby given that (name of applicant) proposes to reduce the hours of

service at public coast station (call and location) from the present hours of _____ m. to _____ m. to the hours of _____ m. to _____ m., effective _____. Persons desiring to file messages for transmission to marine mobile stations during the closed hours of this station may file such messages (give appropriate description of substitute service). Any member of the public objecting to the above change in service may communicate with the Federal Communications Commission, Washington 25, D. C.

(b) Authority for the reduction in hours of service proposed under this section shall be deemed to have been granted by the Commission effective as of the fifteenth day following the date of filing of such request with the Commission unless on or before the fifteenth day the Commission shall notify the applicant to the contrary.

b. Add the following footnote relating to the above paragraph:

[4] *Provided, however* That in cases where the public coast station is not ordinarily accessible to the general public for the purpose of filing or accepting delivery of messages, but an associated public office is provided by the applicant for that purpose, the public notice herein referred to shall be posted in the public office.

7a. In § 63.90, substitute the following text for the present text of paragraph (a)

(a) Immediately upon the filing of an application or informal request (except a request under §§ 63.67, 63.68 or 63.69) for authority to close, or reduce the hours of service at, a telephone exchange or a telegraph office (except an agency office, a jointly-operated office, or an office or exchange located at a military establishment) or a public coast station, the applicant shall post a public notice at least twenty inches (20") by twenty-four inches (24") with letters of commensurate size, in a conspicuous place at the office, or public coast station,[5] affected for at least fourteen (14) days, which notice shall be in the following form:

_____
(Date of first posting of notice)

Notice is hereby given that application was made on the _____ day of _____, 19____ by _____ to the Federal
(Name of applicant)
Communications Commission to close (or reduce the hours of service from the present hours of service _____ m. to _____ m. to the hours _____ m. to _____ m.) (telephone exchange, telegraph office, or public coast station involved, including address and other appropriate identification). If the application is granted, substitute service will be available from _____ m. to _____ m. at the _____ (or give other appropriate description of substitute service). Any member of the public desiring to protest or support the proposed change in service may communicate with the Federal Communications Commission, Washington 25, D. C. on or before _____ (fill in date which is 20 days after the date of the first posting of notice).

b. Add the following footnote relating to the preceding paragraph:

[5] *Provided, however* That in cases where the public coast station is not ordinarily accessible to the general public for the purpose of filing or accepting delivery of messages, but an associated public office is provided by the applicant for that purpose, the public notice herein referred to shall be posted in the public office.

c. Amend paragraph (b) by adding "or § 63.69" after "63.68" in the parenthetical phrase, and by changing the word "or" immediately preceding "63.68" to a comma.

8. Insert new §§ 63.600 and 63.601 to read:

§ 63.600 *Contents of applications to close, or reduce hours of service at, a public coast station.* (a) The name and address of each applicant.

(b) The name, title, and post office address of the officer to whom correspondence concerning the application is to be addressed.

(c) Nature of proposed discontinuance, reduction or impairment of service:

(1) Name and location of coast station involved, street address, present hours of service, proposed hours of service, extent and character of any local pickup and delivery facilities, including number of messengers or agents, and description of any arrangements for transferring messages to other carriers for local delivery or transmission to distant points;

(2) Date on which applicant desires to make discontinuance, reduction, or impairment effective; if for a temporary period only, indicate the approximate period for which authorization is desired;

(3) Identification of community or part of a community served by the public coast station involved, including population and general character of marine interests served;

(4) Description of the marine area served, and approximate range of operations with marine mobile stations;

(5) Proposed new tariff listing, if any, and differences, if any, between present charges to the public and charges for the service to be substituted by applicant, or available through the facilities of other carriers;

(d) Statement of the reasons for the proposed discontinuance, reduction, or impairment of service;

(e) Description of any previous discontinuance, reduction, or impairment of service to the community in which station involved is located, or in the marine area served by that station, which has been made by applicant during the 12 months preceding filing of the application, and statement of any present plans for future discontinuance, reduction or impairment of such service;

(f) Statement of the factors showing that neither the present nor future public convenience and necessity would be adversely affected by the granting of the application;

(g) If closure is proposed:

(1) Number of messages sent and number received, revenue received from handling such messages, and direct operating expenses for each of past three months, and an estimate of what difference, if any, in the amount of such traffic, revenues, and expenses, would be expected for the ensuing year if present service were continued, and the basis for such estimates;

(2) For the most recent typical month for which statistics are available, the distribution of inbound and outbound messages separately as between number handled over the counter, by messenger, agent, telephone, T. W X., transferred to or from another coast station of applicant, transferred to or from another carrier, or other method;

(3) Full description of the service which will be available to the community affected as a substitute for the service to be discontinued, either through other public coast stations located in the same general vicinity, or through the facilities of domestic telegraph and telephone carriers, including hours of service, location of public offices, and extent of pickup and delivery facilities;

(4) List of United States Coast Guard stations providing safety and distress coverage in the marine area served by the coast station involved;

(h) If reduction in hours is proposed:

(1) For the most recent month for which statistics are available, the distribution of inbound and outbound messages for each hour proposed to be deleted, including distribution of such messages as between number handled over the counter, by messenger, agent, telephone, T. W X., transferred to or from another Coast Station operated by applicant, transferred to or from another carrier, or other method;

(2) For each hour proposed to be deleted, full description of substitute service available to the community affected, as outlined in paragraph (g) (3) of this section.

(3) List of United States Coast Guard Stations providing safety and distress coverage in the marine area served by the coast station involved.

§ 63.601 *Contents of applications for authority to reduce the hours of service of public coast stations under the conditions specified in § 63.69.*

F. C. C. File No. _____
T-D-_____
Month _____ Year _____

_____
(Name of applicant)

_____
(Address of applicant)

In the matter of Proposed Reduction in Hours of Service of a Public Coast Station, Pursuant to section 63.69 of the Commission's Rules.

Data regarding public coast station _____
_____
(Call and address)

Present hours:
Monday through Friday _____
Saturday _____
Sunday _____

Proposed hours:
Monday through Friday _____
Saturday _____
Sunday _____

Proposed effective time and date of change _____

Average number of messages handled for month of _____, 19____
During total hours to be deleted _____
During maximum hour to be deleted _____

Data regarding substitute service to be provided by other public coast stations available and capable of providing service to the community affected, or in the marine area served by the public coast station involved:

Station call and location	Operated by	Hours of service		
		Monday through Friday	Saturday	Sunday

[F. R. Doc. 53-434; Filed, Jan. 14, 1953; 8:58 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

Subchapter B—Carriers by Motor Vehicle

PART 211—SCOPE OF OPERATING AUTHORITY; ROUTES

USE OF TURNER TURNPIKE (AN OKLAHOMA TOLL HIGHWAY) BY COMMON AND CONTRACT MOTOR CARRIERS AUTHORIZED TO OPERATE OVER PARALLEL HIGHWAY (U. S. 66)

At a session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 7th day of January A. D. 1953;

The above-entitled matter being under consideration:

It appearing that this Commission has received inquiries regarding the entry of a general order authorizing the use of Turner Turnpike between Tulsa and Oklahoma City, Okla., by common and contract motor carriers holding authority to operate over U. S. Highway 66 between those points;

It further appearing that Turner Turnpike is a modern toll highway in which there are improvements in design and construction over other highways in that region, including the elimination of cross traffic, reduction in grades, lengthening of curves, and widening of the pavement; that its use as an alternate route by motor carriers holding authority to operate over U. S. Highway 66 between the points specified would promote economical operation, improve the service rendered to the public, serve purposes of national defense, and contribute to the promotion of safety on the highways; and that only in special and unusual instances will there exist reasons for denying to any carrier operating over the parallel highway (U. S. 66) permission to use the Turnpike as an auxiliary highway;

And it further appearing that in general the use of the said Turnpike as an alternate route as above-indicated is and will be required by public convenience and necessity, in the case of common carriers, and consistent with the public interest and the national transportation policy declared in the Interstate Commerce Act, in the case of contract carriers, and the Commission so finding; therefore, it is ordered, that:

§ 211.6 *Use of Turner Turnpike by motor carriers authorized to operate over parallel highway (U. S. 66).*—(a) *Conditions.* The Turner Turnpike, and such additional highways as may be required in traveling by the shortest practicable route between the authorized highway and the Turnpike in performing authorized operations, may be used as an alternate route, without obtaining prior authority therefor, by common and contract motor carriers subject to the Interstate Commerce Act who are authorized to operate over U. S. Highway 66 between Tulsa and Oklahoma City, Okla., subject in all instances to the following conditions:

(1) The carrier in each case shall give notice to the Commission, by letter, setting forth (i) a complete description by highway numbers of the carrier's authorized route between the point where it proposes to leave its authorized route and the point where it proposes to return to such route, (ii) a complete description by highway numbers of the proposed deviation route, including the portion of the Turnpike to be used, between the point where it proposes to leave its authorized route and the point where it will return to such route, and (iii) a list of all known competitors, with a statement that a copy of such letter notice has been served on each of those listed.

(2) The letter shall contain a statement to the effect that the carrier filing the notice will continue to furnish reasonable and adequate service at all points it is now authorized to serve, that it will not serve new points or points it is not now authorized to serve, and that the use of the Turnpike will not enable the carrier to engage in transportation between any points where because of the circuity of its present routes, or otherwise, such operation is not now practicable.

(3) The right to use the Turnpike as an alternate route shall continue only so long as the carrier is entitled to use the highway or portion thereof described in its Certificate or Permit which parallels the Turnpike, in performing service authorized under the Interstate Commerce Act, and only so long as the conditions specified in this paragraph are observed.

(b) *Protests.* Any party in interest may file a protest within 30 days from the date a carrier gives notice of intent to operate over the Turnpike. Such protest may be in the form of a letter, should contain facts and information to support protestant's opinion that the carrier filing such notice cannot meet the terms of the above-specified conditions, and should reflect that a copy of the protest has been furnished to the carrier filing the notice. If such a protest is filed the Commission will give due consideration to all facts of record in the particular case, including the notice and protest, and will make a determination in accordance with those facts.

(c) *When applications required.* Motor carriers holding authority to operate over specified regular routes in Oklahoma which do not include U. S. Highway 66 or Turner Turnpike who desire to use the Turnpike as an alternate route in performing their authorized service, must apply for and obtain such authority, using Form BMC 78, before operating over the Turnpike. If it appears that the use of the Turnpike by any such applicant would not result in a substantial change in the service between terminal points or to or from intermediate and off-route points, and would not enable the carrier to render service which is now impracticable because of the circuity of the carrier's presently authorized route, or otherwise, consideration will be given to the granting of authority without hearing and with or without restrictions.

(d) *Irregular-route operations.* If a motor carrier is authorized to operate within or through Oklahoma over irregular routes, no specific authority is required from this Commission to use Turner Turnpike in performing its authorized service.

It is further ordered, that this order shall become effective February 12, 1953, unless prior thereto it is otherwise ordered by this Commission.

Notice of this order shall be given to motor carriers and the general public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing a copy thereof with the Director, Division of Federal Register.

(49 Stat. 546, as amended; 49 U. S. C. 304. Interprets or applies 49 Stat. 552, as amended; 553, as amended; 49 U. S. C. 303, 309)

By the Commission, Division 5.

[SEAL] GEORGE W. LAIRD, *Acting Secretary.*

[F. R. Doc. 53-386; Filed, Jan. 14, 1953; 8:50 a. m.]

PROPOSED RULE MAKING

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 2]

[Docket No. 10200]

TABLE OF FREQUENCY ALLOCATIONS

ORDER EXTENDING TIME FOR FILING COMMENTS

In the matter of amendment of § 2.104 (a) (1) (d) of Part 2 of the Commission's rules and regulations to delete certain uses by the domestic fixed service of frequencies below 25 Mc for purposes other than the safety of life and property.

At a meeting of the Federal Communications Commisison held at its offices in Washington, D. C., on the 7th day of January 1953:

The Commission having under consideration the petition filed on December 9, 1952 in the above-entitled proceeding by the State of California, requesting an extension of time in which to file further comments directed to the Commission's further notice of proposed rule making in this docket;

It appearing, that good and sufficient reasons have been advanced by the State of California in its petition for an extension of time in which to file comments, and that the public interest would be served thereby;

It is ordered, That the time for filing comments in the above-entitled proceeding is hereby extended from December 19, 1952, to February 19, 1953.

Released: January 8, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 53-435; Filed, Jan. 14, 1953; 8:59 a. m.]

[47 CFR Part 2]

[Docket No. 10368]

TABLE OF FREQUENCY ALLOCATIONS

NOTICE OF PROPOSED RULE MAKING

In the matter of amendment of Part 2 of the Commission's rules and regulations concerning the addition of certain frequency bands to footnote 2 pertaining to §§ 2.104 (a) (3) (i) and 2.104 (a) (3) (iii)

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. At the present time the frequency bands 14,350–14,400 and 20,000–25,000 kc are included in footnote 2 which pertains to §§ 2.104 (a) (3) (i) and 2.104 (a) (3) (iii) of Part 2 of the Commission's rules. The essence of the footnote is that assignments will not be made in these bands unless they are in accordance with the terms of the Atlantic City Treaty (1947)

3. The Commission now deems it desirable and feasible to add other frequency bands to those already listed and consequently proposes the addition of the several frequency bands listed below to those already contained in the above referenced footnote. It is also proposed to amend the footnote so as to provide for continued communication between U. S. aircraft and foreign stations.

4. The proposed amendment to the rules is set forth below and is issued under the authority of sections 303 (c) (f) and (r) of the Communications Act of 1934, as amended, the Final Acts of the International Telecommunication and Radio Conferences, Atlantic City (1947) and the Agreement concluded at the Extraordinary Administrative Radio Conference (Geneva, 1951)

5. Any interested person who is of the opinion that the proposed amendment should not be adopted may file with the Commission on or before February 20, 1953, a written statement or brief setting forth his comments. Persons desiring to support the amendment may also file comments by the same date. Replies to such comments may be filed within ten days from the last date for filing of original comments. The Commission will consider all comments and briefs presented before taking final action with respect to the proposed amendment.

6. Fifteen copies of each brief or written statement should be filed as required by § 1.764 of the Commission's rules and regulations.

Adopted: January 7, 1953.

Released: January 8, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

Changes in Part 2—Rules Governing Frequency Allocations and Radio Treaty Matters; General Rules and Regulations.

Delete the present wording of footnote 2 to §§ 2.104 (a) (3) (i) and 2.104 (a) (3) (iii) and in lieu thereof substitute new footnote[2] as follows:

[2] The provisions of this section, except for frequencies authorized to aircraft for communication with foreign stations, do not apply for the authorization of frequencies within the following frequency bands:

3,500–4,063 kc	9,775–10,005 kc
5,450–5,480 kc	11,700–11,900 kc
6,000–6,200 kc	14,000–15,010 kc
7,000–7,300 kc	15,100–15,350 kc
9,040–9,700 kc	19,990–25,000 kc

[F. R. Doc. 53-436; Filed, Jan. 14, 1953; 8:59 a. m.]

[Docket No. 10374]

REVISED TENTATIVE ALLOCATION PLAN

NOTICE OF PROPOSED RULE MAKING

In the matter of amendment of the revised tentative allocation plan for Class B FM Broadcast Stations.

1. Notice is hereby given of further proposed rule making in the above-entitled matter.

2. It is proposed to amend the Revised Tentative Allocation Plan for Class B FM Broadcast Stations as follows:

General area	Channels	
	Delete	Add
Baltimore, Md.	238	
Washington, D. C.		238

3. The purpose of the proposed amendment is to provide an additional Class D channel in Washington, D. C., thereby facilitating consideration of a pending application requesting a Class B assignment there.

4. Authority for the adoption of the proposed amendment is contained in sections 4 (i) 301, 303 (c), (d), (f), and (r) and 307 (b) of the Communications Act of 1934 as amended.

5. Any interested party who is of the opinion that the proposed amendment should not be adopted or should not be adopted in the form set forth herein may file with the Commission on or before February 11, 1953 a written statement or brief setting forth his comments. Comments in support of the proposed amendment may also be filed on or before the same date. Comments or briefs in reply to the original comments may be filed within 10 days from the last day for filing said original comments or briefs. The Commission will consider all such comments that are submitted before taking action in this matter, and if any comments appear to warrant the holding of a hearing or oral argument, notice of the time and place of such hearing or oral argument will be given.

6. In accordance with the provisions of § 1.784 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs, or comments shall be furnished the Commission.

Adopted: January 8, 1953.

Released: January 9, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 53-437; Filed, Jan. 14, 1953; 8:59 a. m.]

[47 CFR Part 3]

[Docket No. 10373]

TELEVISION BROADCAST STATIONS

TABLE OF ASSIGNMENTS

In the matter of amendment of § 3.606, Table of Assignments, rules governing television broadcast stations.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. The Commission has ascertained that the assignments of UHF Channel 32 in New Orleans, Louisiana, and that of UHF Channel 39 in Bogalusa, Louisiana, and the assignments of UHF Chan-

nel 15 in Ottumwa, Iowa, and of UHF Channel 29 in Newton, Iowa, do not meet the required minimum assignment separations as provided by § 3.610 (c) of the Commission's rules governing television broadcast stations. In order to correct these substandard assignment spacings, the Commission proposes to make the following change in the Table of Assignments:

City	Channel No.	
	Delete	Add
Newton, Iowa	29—	65+
Bogalusa, La	39	69

3. Authority for the adoption of the proposed amendment is contained in sections 4 (i) 301, 303 (c) (d) (f) and (r) and 307 (b) of the Communications Act of 1934, as amended.

4. Any interested party who is of the opinion that the proposed amendment should not be adopted or should not be adopted in the form set forth herein may file with the Commission on or before January 26, 1953, a written statement or brief setting forth his comments. Comments in support of the proposed amendment may also be filed on or before the same date. Comments or briefs in reply to the original comments may be filed within 10 days from the last day for filing said original comments or briefs. The Commission will consider all such comments that are submitted before taking action in this matter, and if any comments appear to warrant the holding of a hearing or oral argument, notice of the time and place of such hearing or oral argument will be given.

5. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs, or comments shall be furnished the Commission.

Adopted: January 7, 1953.

Released: January 9, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 53-438; Filed, Jan. 14, 1953; 8:59 a. m.]

[47 CFR Part 3]

[Docket No. 10369]

RADIO BROADCAST SERVICES

NOTICE OF PROPOSED RULE MAKING

In the matter of amendment of Part 3—Radio Broadcast Services of the Commission's rules and regulations, the Standards of Good Engineering Practice concerning Standard Broadcast Stations.

1. Notice is hereby given of proposed rule making in the above entitled matter.

2. The Commission has reviewed the provisions of its rules and regulations relating to Radio Broadcast Services and the Standards of Good Engineering Practice Concerning Standard Broadcast Stations in an effort to bring them up-to-date, delete obsolete provisions and eliminate inconsistencies. Set forth below are the proposed rule changes. Following is a summary of the proposed amendments and the reasons therefor.

(1) Footnote 10 to § 3.32 requires the filing of a formal application for special experimental operation. It is our view that formal application is unnecessary for special experimental operation, and that such requests should be filed by means of an informal application. Therefore, it is proposed to delete footnote designator 10 and to specify the nature of the application to be required.

(2) Section 3.45, which relates to radiating systems, indicates, among other things, that the Commission will publish from time to time specifications necessary to meet the requirements of good engineering practice, and refers to the Standards of Good Engineering Practice Concerning Standard Broadcast Stations (hereinafter referred to as SOGEP-AM) Since the Commission has not published specifications other than those in the standards, it is proposed to delete this portion of the rule. Section 3.45 also refers to section 19 of SOGEP-AM in connection with simultaneous use of a common antenna. Since it is proposed to delete section 19 from SOGEP-AM (See paragraph (3) below), it is proposed to add the pertinent portions to § 3.45.

(3) Section 19 of SOGEP-AM, which deals with the use of a common antenna, sets forth conditions for such use. It is believed that such information should more appropriately be included in the rules dealing with the radiating system. Therefore, it is proposed to delete this section from the standards and insert it in § 3.45 of the rules.

(4) Section 3.56 is obsolete and therefore it is proposed to delete this section.

(5) Paragraph (a) of § 3.55 is inconsistent with section 12 of SOGEP-AM. When the present standards were adopted on August 1, 1939 changing the percentage of harmonics, § 3.55 (a) was not similarly changed. Therefore, it is proposed to delete paragraph (a) It is proposed to remove paragraphs (b) (c), (d) from this section and to add them as a new § 3.56.

(6) Footnote 26 to § 3.63 refers to § 1.324 which expressly is no longer applicable to standard broadcast stations. Therefore, it is proposed to change the footnote to provide that an informal request may be made to operate an auxiliary transmitter for a period in excess of 5 days.

(7) Section 3.79 of the Commission's rules specifies that the instrument of authorization issued to a station required to commence or cease operation at the time of sunrise and sunset will set forth the hour of the day during each month of the year when such operation will commence or cease. Various sections of Part 3 of the rules contain reference to section 26 of the standards. Therefore it is proposed to amend § 3.79 of the rules to indicate the method used in determining the time of sunrise and sunset for a given locality, and it is also proposed to amend § 3.8 of the rules to delete the references to section 26 of the standards.

(8) Footnote 3 to § 3.608 presently provides for the publication at some future date of the international TV agreements as part of the TV rules. International agreements in themselves are not published as part of the Commission rules. However, Appendix A to Part 2 of the rules sets forth various laws, treaties, agreements and arrangements relating to radio communications. Therefore, it is proposed to delete footnote 3.

(9) Section 3.640 of the rules provides that in the issuance of television broadcast station authorizations, the Commission will specify the transmitter power output and effective radiated power rounded off to the nearest 0.1 dbk and, for these powers in kilowatts, in accordance with a table set out in the rule. The rule also provides that antenna heights above average terrain will be specified to the nearest 10 feet. The table in this section divides powers into several brackets and specifies the unit to which such powers are to be rounded out. It is believed, however, that the method presently provided is unnecessarily complex and often leads to inconsistencies since in applying this method, the dbk for a station may not equal the kilowatts. Therefore, it is proposed to amend this section, to provide for the specification of power to the nearest 0.1 dbk. The rule provides for the conversion of dbk into kilowatts to 3 significant figures.

(10) The present provisions of § 3.684 (f) provide that in predicting coverage where unusual terrain conditions are met, supplemental showings may be made in addition to the showing required by paragraph (d) of this rule. However, the penultimate sentence of paragraph (f) provides that in directions where the terrain is such that special problems may arise a supplemental showing of expected coverage must be included. Thus, the rule is ambiguous with respect to those situations where a supplemental showing must be made as distinguished from those where a showing may be made. To resolve this ambiguity it is proposed to amend § 3.684 (f) to provide that in directions where the terrain is such that negative antenna heights or heights below 100 foot, for the 2 to 10 mile sector are obtained, a supplemental showing of expected coverage must be submitted. In all other cases, a supplemental showing is optional.

(11) Section 3.685 (b) provides that the location of an antenna should be so chosen that line of sight can be obtained from the antenna over the principal city or cities to be served. The reference to "or cities" to be served is inconsistent with paragraph (a) of this rule which sets out the minimum field intensity to be provided over the entire principal community to be served, since paragraph (a) pertains only to a principal community and does not contemplate more than one principal city to be served. Accordingly, it is proposed to delete the words "or cities" from paragraph (b) to eliminate the inconsistency.

(12) Section 3.687 (a) (2) sets forth the required attenuation at modulation frequencies below the picture carrier but does not specify the required attenuation above the picture carrier. In the previously existing Standards of Good Engi-

neering Practice Concerning Television Broadcast Stations the required attenuation above and below the picture carrier was specified in Appendix II by a reference to section 9A (2) The text of this section inadvertently included only a requirement for the lower side band although both were shown on the drawing. When the TV standards were incorporated into the rules, the drawing was reproduced without reference to any rule and again the inclusion of specifications for the upper side band was omitted from the new rule. Accordingly, it is proposed to add the requirement for the upper side band.

(13) The penultimate paragraph of section 5 and footnote 35 to section 12 of SOGEP–AM require that stations employing concentric transmission lines construct duplicate lines. This requirement was adopted at a time when concentric lines were first coming into use and their reliability was questionable. Experience has demonstrated that concentric lines in use today are reliable and that duplication is no longer necessary. Moreover, this requirement has not been enforced in the past several years. Therefore, it is proposed to delete the penultimate paragraph of section 5, and footnote 35 to section 12 of SOGEP–AM.

(14) Changes are proposed in §§ 3.55 and 3.56 (See paragraphs (4) and (5) above) Accordingly, it is proposed to amend sections 16, 20 and 22 of SOGEP–AM to reflect such changes.

(15) Section 26 of SOGEP–AM consists of a table containing average time of sunrise and sunset based on local standard time in approximately 600 cities and localities throughout the United States. This table was adopted initially on May 27, 1948 as a result of the proceedings in Docket 9134, and was amended on August 24, 1949, October 27, 1949 and August 1, 1950, to effect changes in the sunrise and sunset times for five localities. The preface to section 26 contains, among other things, the statement that from time to time the table will require revision in light of the authorizations that have been granted by the Commission to stations situated in localities not listed in the table. Since the adoption of section 26, the Commission has specified, on various instruments of authorizations, sunrise and sunset times for approximately 370 localities not included in the table set forth in this section. Appropriate revisions have not been made in section 26, and it does not appear practical to revise the table to include the 370 new localities, nor does it appear practicable to revise the table each time new sunset or sunrise times are specified. Therefore, it is proposed to delete section 26.

3. Authority to issue the proposals herein is vested in the Commission by sections 4 (i) 301, 303 (e) 303 (r), and 308 (b) of the Communications Act of 1934, as amended.

4. Any interested person may file with the Commission, on or before February 9, 1953, a written statement or brief in support of, or in opposition to, the proposed amendments. Comments or briefs in reply to the original comments or briefs may be filed within 10 days from the last day for filing the described original comments or briefs. The Commission will consider all comments, briefs, and statements before taking final action.

5. In accordance with the Commission's rules, an original and fourteen copies of all statements, briefs or comments filed shall be furnished the Commission.

Adopted: January 7, 1953.

Released: January 8, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

1. It is proposed to amend § 3.8 to read as follows:

§ 3.8 *Sunrise and sunset.* The terms "sunrise and sunset" mean, for each particular location and during any particular month, the time of sunrise and sunset as specified in the instrument of authorization.

2. It is proposed to amend § 3.32 as follows: Delete the first seven lines of paragraph (a) and substitute the following: "Special experimental authorization may be issued to the licensee of a standard broadcast station in addition to the regular license upon informal application therefor and upon a satisfactory showing in regard to the following, among others:"

3. It is proposed to amend § 3.45 to read as follows:

§ 3.45 *Radiating system.* (a) All applicants for new, additional, or different broadcast facilities and all licensees requesting authority to move the transmitter of an existing station shall specify a radiating system the efficiency of which complies with the requirements of good engineering practice for the class and power of the station. (See Minimum Antenna Heights or Field Intensity Requirements and Field Intensity Measurements in Allocation, sec. A.)

(b) No broadcast station licensee or permittee shall change the physical height of the transmitting antenna, or supporting structures, or make any changes in the radiating system which will measurably alter the radiation patterns, except upon written application to and authority from the Commission.

(c) Upon making any change in the antenna system, or in the antenna current measuring instruments, or any other change which may change the characteristics of the antenna, the licensee shall immediately make a new determination of the antenna resistance (see § 3.54) and shall submit application for authority to determine power by the direct method on the basis of the new measurements.

(d) The antenna and/or supporting structure shall be painted and illuminated in accordance with the specifications supplied by the Commission pursuant to section 303 (q) of the Communications Act of 1934 as amended. (See Part 17 of Commission rules; rules concerning the Construction, Marking, and Lighting of Antenna Structures).

(e) The simultaneous use of a common antenna or antenna structure by more than one standard broadcast station, or by one or more standard broadcast stations and one or more stations of any other class or service may be authorized provided:

(1) Complete verified engineering data are submitted showing that satisfactory operation of each station will be obtained without adversely affecting the operation of the other station.

(2) The minimum antenna height or field intensity for each standard broadcast station concerned complies with paragraph (a) of this section.

(3) Complete responsibility for maintaining the installation and for painting and illuminating the structure in accordance with the pertinent provisions of the Standards of Good Engineering Practice is assumed by one of the licensees.

4. It is proposed to amend § 3.55 to read as follows:

§ 3.55 *Modulation.* The percentage of modulation shall be maintained as high as possible consistent with good quality of transmission and in no case less than 85 percent nor more than 100 percent on peaks of frequency recurrence during any selection which is transmitted at the highest level of the program under consideration.

5. It is proposed to delete present § 3.56.

6. It is proposed to add a new § 3.56 as follows:

§ 3.56 *Modulation monitors.* (a) Each station shall have in operation at the transmitter a modulation monitor of a type approved by the Commission.

(b) In the event that the modulation monitor becomes defective the station may be operated without the monitor pending its repair or replacement for a period not in excess of 60 days without further authority of the Commission: *Provided,* That:

(1) Appropriate entries shall be made in the operating log of the station showing the date and time the monitor was removed from and restored to service.

(2) The Engineer in Charge of the radio district in which the station is located shall be notified both immediately after the monitor is found to be defective and immediately after the repaired or replacement monitor has been installed and is functioning properly.

(3) The degree of modulation of the station shall be monitored with a cathode ray oscilloscope or other acceptable means.

(c) If conditions beyond the control of the licensee prevent the restoration of the monitor to service within the above allowed period, informal request may be filed with the Engineer in Charge of the radio district in which the station is operating for such additional time as may be required to complete repairs of the defective instrument.

7. It is proposed to amend § 3.63 as follows: Delete the language of paragraph (c) (2) and footnote 26 and substitute the following:

(2) The transmission of regular programs during maintenance or modification work on the main transmitter necessitating discontinuance of its operation for a period not to exceed five days.[22]

8. It is proposed to amend § 3.79 to read as follows:

§ 3.79 *License to specify sunrise and sunset hours.* If the licensee of a broadcast station is required to commence or cease operation, or to change the mode of operation of the station at the times of sunrise and sunset at any particular location, the controlling times for each month of the year are set forth in the station's instrument of authorization. Uniform sunrise and sunset times are specified for all of the days of each month, based upon the actual times of sunrise and sunset for the fifteenth day of that month adjusted to the nearest quarter hour. In accordance with a standardized procedure described therein, actual sunrise and sunrise and sunset times are derived by interpolation in the tables of the 1946 American Nautical Almanac, issued by the Nautical Almanac Office of the United States Naval Observatory.

9. It is proposed to delete footnote 3 in § 3.608.

10. It is proposed to delete § 3.640 and add a new section designated § 3.615 to read as follows:

§ 3.615 *Administrative changes in authorizations.* In the issuance of television broadcast station authorizations, the Commission will specify the transmitter output power and effective radiated power to the nearest 0.1 dbk. Powers specified by kilowatts shall be obtained by converting dbk to kilowatts to 3 significant figures. Antenna heights above average terrain will be specified to the nearest 10 feet. Midway figures will be authorized in the lower alternative.

11. It is proposed to amend § 3.684 as follows: Delete the next to the last sentence of paragraph (f) and substitute the following: "In directions where the terrain is such that negative antenna heights or heights below 100 feet, for the 2 to 10 mile sector are obtained, a supplemental showing of expected coverage must be included together with a description of the method employed in predicting such coverage."

12. It is proposed to amend § 3.685 as follows: Delete the words "or cities" from the fourth sentence in paragraph (b)

13. It is proposed to amend § 3.687 as follows:

a. Delete footnote designator 28 at the end of paragraph (a) (2).

b. Add a new sentence to follow the present language of paragraph (a) (2) as follows: "The field strength or voltage of the upper side band as radiated or dissipated and measured as described in subparagraph (3) of this paragraph, shall not be greater than —20 db for modulating frequency of 4.75 mc or greater."[23]

14. Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

a. It is proposed to amend section 5 of these standards as follows: Delete the next to last paragraph which deals with duplicate transmission lines.

b. It is proposed to amend section 12 of these standards by the deletion of footnote 35 to subsection B (3) e.

c. It is proposed to delete the first paragraph of section 16 of these standards.

d. It is proposed to delete section 19 of these standards.

e. It is proposed to amend sections 20 and 22 of these standards as follows: Change the reference to § 3.55 (b) made in the first line of both sections and the reference to § 3.55 (d) made in the last line of section 22 to § 3.56.

f. It is proposed to delete section 26 of these standards.

[F. R. Doc. 53-439; Filed, Jan. 14, 1953; 8:59 a. m.]

[47 CFR Part 3]

[Docket No. 10370]

TELEVISION BROADCAST SERVICE

NOTICE OF PROPOSED RULE MAKING

In the matter of amendment of §§ 3.681 (b) 3.684 (d) and 3.684 (g) of the Commission's rules governing Television Broadcast Service and section 3 of the Standards of Good Engineering Practice Concerning FM Broadcast Stations.

1. Notice is given of proposed rule making in the above-entitled matter.

2. Section 3.681 (b) of the Commission's rules defines antenna height above average terrain as follows: "The average of the antenna heights above the terrain from two to ten miles from the antenna. (In general, a different antenna height will be determined in each direction from the antenna. The average of these various heights is considered as the antenna height above average terrain.)"

3. Section 3.684 (d) of the rules prescribes the method for computing the antenna height above average terrain. This section provides that the elevations between 2 to 10 miles from the antenna site are to be employed, and that profile graphs must be drawn for at least 8 radials, each radial beginning at the antenna site and extending for a distance of 10 miles. The rule provides that the 8 radials employed in the preparation of the profile graphs are to be "normally" drawn for each 45° of azimuth, but that, where feasible, the radials should be drawn for angles along which roads tend to follow. (It is explained that radials along roads may be helpful in obtaining topographic data not otherwise available and in correlating station field intensity measurements with predicted field intensities.) The average elevation of the 8-mile distance between 2 and 10 miles from the antenna site is then determined from the profile graph for each radial by averaging a large number of equally spaced points, by use of a planimeter, or by obtaining the median elevation in sectors and averaging these values.

4. The present method for computing antenna height above average terrain permits considerable latitude in the selection, number and direction of the radials to be employed; and the method for computing the elevation of radials which extend over large bodies of water or over foreign territory is not specified. Consequently appreciably different values for average terrain elevation may often be obtained for the same site while employing the present method of computation. In addition, the provision in the rule concerning the drawing of radials along roads is no longer appropriate since the rules no longer require that field intensity measurements be made prior to licensing. The drawing of radials along roads, therefore, no longer serves a useful purpose.

5. In light of the foregoing it is proposed to amend the rules by providing a more specific and uniform method for computing antenna height above average terrain. The proposed method of computation is based on 8 evenly spaced radials starting with True North. The proposed rule, also would expressly specify the method for treating radials which extend over large bodies of water or foreign territory. Where the Grade B intensity contour encompasses land area within the United States beyond the 10-mile sector of a radial, the entire radial is employed in the computation of antenna height above average terrain even though it may fall entirely or partially over large bodies of water or foreign territory. However, where the Grade B contour does not so encompass United States land area and the 2 to 10 mile sector of a radial extends completely over large bodies of water or foreign territory, no part of that radial is to be employed in the computation. Finally, where the Grade B contour does not so encompass United States land area beyond the 10-mile portion of a radial and part of the 2 to 10 mile sector of the radial extends over large bodies of water or foreign territory, only that portion of the radial extending to the outermost sector of land area within the United States covered by the 2 to 10 mile radial is to be employed in the computation.

6. It is proposed to amend § 3.631 (b) of the rules as follows: Delete the present language of § 3.631 (b) and substitute the following:

(b) *Antenna height above average terrain.* The average of the antenna heights above the terrain from two to ten miles from the antenna for the eight directions spaced evenly for each 45 degrees of azimuth starting with True North. (In general, a different antenna height will be determined in each direc-

[22] Where such operation is required for periods in excess of five days an informal application shall be made.

[23] Field strength measurements are desired. It is anticipated that these may not yield data which are consistent enough to prove compliance with the attenuation standards prescribed above. In that case, measurements with a dummy load of pure resistance, together with data on the antenna characteristics, shall be taken in place of over-all field measurements.

tion from the antenna. The average of these various heights is considered the antenna height above the average terrain.)

7. It is proposed to amend § 3.684 (d) as follows: Delete the first seven sentences of § 3.684 (d) which begin "the antenna height * * *" and end "* * * from the antenna site" and substitute the following: "The antenna height to be used with these charts is the height of the radiation center of the antenna above the average terrain along the radial in question. In determining the average elevation of the terrain, the elevations between 2 and 10 miles from the antenna site are employed. Profile graphs shall be drawn for 8 radials beginning at the antenna site and extending 10 miles therefrom. The radials should be drawn for each 45 degrees of azimuth starting with True North. At least one radial must include the principal city to be served even though such city may be more than 10 miles from the antenna site. However, if one or more radials are drawn to include the principal city to be served in addition to the 8 evenly spaced radials, such additional radials shall not be employed in computing the antenna height above average terrain. Where the 2 to 10 mile portion of a radial extends in whole or in part over large bodies of water as specified in paragraph (e) of this section or extends over foreign territory but the Grade B intensity contour encompasses land area within the United States beyond the 10 mile portion of the radial, the entire 2 to 10 mile portion of the radial shall be included in the computation of antenna height above average terrain. However, where the Grade B contour does not so encompass United States land area and (1) the entire 2 to 10 mile portion of the radial extends over large bodies of water or foreign territory, such radial shall be completely omitted from the computation of antenna height above average terrain and (2) where a part of the 2 to 10 mile portion of a radial extends over large bodies of water or over foreign territory, only that part of the radial extending from the 2 mile sector to the outermost portion of land area within the United States covered by the radial shall be employed in the computation of antenna height above average terrain."

8. Section 3.684 (g) of the rules presently provides, in part, that "in (certain) profile graphs * * * the elevations or contour intervals shall be taken from the United States Geological Survey Topographic Quadrangle Maps for all areas for which such maps are available * * *" Similarly, section 3 of the Standards of Good Engineering Practice Concerning FM Broadcast Stations also provides that contour intervals shall be taken from the United States Geological Survey Topographic charts for all areas where such maps are available. However, certain topographic information published by the United States Army Corps of Engineers and the Tennessee Valley Authority now obtainable is based upon more recent surveys than the topographic information available from the United States Geological Survey. Accordingly, in order to obtain the latest available topographic information, it is proposed to amend § 3.634 (g) of the rules and section 3 of the FM Standards to require the use of later United States Army Corps of Engineers and Tennessee Valley Authority maps when such maps are available for the area concerned. Further, neither § 3.684 (g) of the rules nor section 3 of the FM Standards specifies that such maps shall also be employed for determining the location of the antenna site and for determining the antenna height above mean sea level. The proposed amendment would so specify.

9. It is proposed to amend § 3.684 (g) of the rules and section 3 of the FM Standards as follows:

a. Section 3.684 (g) is proposed to be amended as follows: Delete the first sentence of paragraph (g) and substitute the following:

(g) In the preparation of the profile graphs previously described, and in determining the location and height above sea level of the antenna site, the elevation or contour intervals shall be taken from United States Geological Survey Topographic Quadrangle Maps, United States Army Corps of Engineers maps or Tennessee Valley Authority maps, whichever is the latest, for all areas for which such maps are available. * * *

b. Section 3 of the Standards of Good Engineering Practice Concerning FM Broadcast Stations is proposed to be amended as follows: Delete the first sentence of section 3 and substitute the following: "In the preparation of the profile graphs previously described, and in determining the location and height above mean sea level of the antenna site, the elevation or contour intervals shall be taken from United States Geological Survey Topographic Quadrangle Maps, United States Army Corps of Engineers Maps or Tennessee Valley Authority maps, whichever is the latest, for all areas for which such maps are available."

10. Authority for the adoption of the proposed amendments is contained in sections 4 (i) 303 (f) and 303 (r) of the Communications Act of 1934, as amended.

11. Any interested party who is of the opinion that the proposed amendments should not be adopted, or should not be adopted in the form set forth herein, may file with the Commission on or before February 9, 1953 a written statement or brief setting forth comments. Comments in support of the proposed amendments may also be filed on or before the same date. Comments or briefs in reply to the original comments or briefs may be filed within 10 days from the last date for filing said original comments or briefs. The Commission will consider all such comments that are submitted before taking action on this matter, and if any comments appear to warrant the holding of a hearing or oral argument, notice of the time and place of such hearing or argument will be given.

12. In accordance with the provisions of § 1.784 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs or comments shall be furnished the Commission.

Adopted: January 7, 1953.

Released: January 8, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 53-440; Filed, Jan. 14, 1953; 8:59 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

SHORESPACE RESTORATION ORDER NO. 497

DECEMBER 29, 1952.

By virtue of the authority contained in the act of June 5, 1920 (41 Stat. 1059, 48 U. S. C. 372) and pursuant to section 2.22 (a) (3) of Order No. 1, Bureau of Land Management, Region VII, approved by the Acting Secretary of the Interior August 20, 1951 (16 F. R. 8625), it is ordered as follows:

Subject to valid existing rights, the provisions of existing withdrawals, the requirements of applicable law, and the 91-day preference right filing period for veterans, and other qualified persons entitled to preference under the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. 279–284), as amended, the 80-rod shore-space reserve created under the act of May 14, 1898 (30 Stat. 409), as amended by the act of March 3, 1903 (32 Stat. 1028; 48 U. S. C. 371), is hereby revoked as to the following described lands, effective at 10:00 a. m. on the 21st day after the date of this order.

ANCHORAGE LAND DISTRICT

A tract of land located on Auk Bay, Alaska identified as Lot 4 U. S. Survey 2664 containing approximately 0.41 acre (Homesite application of Stanley William Jekill, Anchorage 016974).

A tract of land located on Auk Bay, Alaska identified as Lot 5 U. S. Survey 2909 containing approximately 0.34 acre (Homesite application of Richard I. Congdon, Anchorage 019676).

A tract of land located on Tongass Narrows, Alaska identified as Lot 44 on the preliminary supplemental plat of U. S. Survey 2603 containing approximately 1.60 acres (Homesite application of Frank Leslie Crooker, Anchorage 019838).

A tract of land located on Clover Passage, Alaska identified as Lot 7, U. S. Survey 2806 containing approximately 5 acres (Homesite application of Maurice Duane Ingman, Anchorage 020010).

A tract of land located on Clover Passage, Alaska identified as Lot AA, U. S. Survey 2553 containing approximately 0.77 acre (Homesite application of Leo Henry Ingman, Anchorage 020011).

A tract of land located on Knudson Cove, Alaska identified as Lot 53, U. S. Survey 3019 containing approximately 3.56 acres (Homesite application of Jay Delos Close, Anchorage 021970).

The above described areas aggregate approximately 11.68 acres.

FRED J. WEILER,
Chief, Division of Land Planning.

[F. R. Doc. 53-368; Filed, Jan. 14, 1953; 8:45 a. m.]

NEW MEXICO

RESTORATION ORDER UNDER FEDERAL POWER ACT

JANUARY 9, 1953.

Pursuant to determination of the Federal Power Commission (DA-40-New Mexico)- and in accordance with Order No. 427, section 2.22 (a) (4) of the Director, Bureau of Land Management approved August 16, 1950 (15 F. R. 5641), it is ordered as follows:

Subject to valid existing rights and the provisions of existing withdrawals, the lands hereinafter described, so far as they are withdrawn or reserved for power purposes, are hereby restored to disposition under the act of December 22, 1928 (45 Stat. 1069; 43 U. S. C. 1068, 1069a) subject to the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U. S. C. 818), as amended:

NEW MEXICO PRINCIPAL MERIDIAN

T. 23 N., R. 10 E.,
Sec. 29, lot 3, containing 39.48 acres.

The lands described are withdrawn in Power Site Reserve No. 548 of September 30, 1916, and in Power Designation No. 1 of August 7, 1916.

This order shall not become effective to change the status of such lands until 10:00 a. m. on the 35th day after the date hereof.

FRANCIS L. MCFARREN,
Acting Regional Administrator.

[F. R. Doc. 53-398; Filed, Jan. 14, 1953; 8:52 a. m.]

Bureau of Reclamation

[Public Announcement 12]

COLUMBIA BASIN PROJECT, WASHINGTON

SALE OF FULL-TIME FARM UNITS

DECEMBER 23, 1952.

Columbia Basin Project, Washington, Quincy-Columbia Basin Irrigation District; public announcement of the sale of full-time farm units.

LANDS COVERED

SECTION 1. *Offer of farm units for sale.* It is hereby announced that certain farm units in the Quincy-Columbia Basin Irrigation District, Columbia Basin Project, Washington, will be sold to qualified applicants in accordance with the provisions of this announcement. Applications to purchase farm units may be submitted beginning at 2 p. m., January 13, 1953.

a. *Farm units presently owned.* The farm units which are presently owned by the United States, and hereby offered for sale, are described as follows:

Irrigation block No.	Farm unit No.	Total acreage	Tentative irrigable acreage				Nonirrigable	Price
			Total	Class 1	Class 2	Class 3		
75	83	83.2	54.6	39.1	15.5	----------	25.6	$1,560.60
	90	188.6	142.9	----------	7.8	135.1	45.7	2,195.70
	93	80.2	73.6	24.8	48.8	----------	6.6	1,352.40
	94	80.0	72.6	24.4	48.2	----------	7.4	1,560.20
	95	80.0	63.6	40.1	23.3	.2	11.4	1,433.60
	96	80.0	74.7	24.2	50.5	----------	5.3	1,435.40
	116	80.3	77.6	5.2	52.0	20.4	2.7	1,244.20
	117	80.3	76.1	.6	51.9	23.6	4.2	1,233.70
	144	80.4	74.4	41.5	25.0	6.9	6.0	1,420.40
	145	80.5	74.2	17.2	31.5	25.5	6.3	1,257.20
	171	141.6	113.9	65.4	19.1	29.4	27.7	2,122.60

b. *Additional farm units.* It is expected that, through the operation of its land acquisition program the United States may, within twelve (12) months following the date of this announcement, own additional farm units in Irrigation Blocks 70, 701, 71, 72, 73, 74, and 75. Such farm units may be offered for sale under the provisions of this announcement.

The official plats of these irrigation blocks are on file in the office of the County Auditor, Grant County, Ephrata, Washington, and copies are on file in the offices of the Bureau of Reclamation at Ephrata, Washington, and the Regional office at Boise, Idaho.

SEC. 2. *Limit of acreage which may be purchased.* The lands covered by this announcement have been divided into farm units. Each of the farm units represents the acreage which, in the opinion of the Regional Director, Region I, Bureau of Reclamation, will support an average-size family at a suitable level of living. The law provides that with certain minor exceptions not more than one farm unit in the entire project may be held by any one owner or family. A family is defined as comprising husband or wife, or both, together with their children under 18 years of age, or all of such children if both parents are dead.

PREFERENCE OF APPLICANTS

SEC. 3. *Nature of preference.* A preference right to purchase the farm units described above will be given to veterans (and in some cases to their husbands or wives or guardians of minor children) who submit applications during a 45-day period beginning at 2 p. m., January 13, 1953, and ending at 2 p. m., February 27, 1953, and who, at the time of making application, are in one of the following five classes:

a. Persons, including those under 21 years of age, who have served in the Army, Navy, Marine Corps, Air Force, or Coast Guard of the United States for a period of at least ninety (90) days at any time between September 16, 1940 and July 3, 1952 inclusive, and have been honorably discharged.

b. Persons, including those under 21 years of age, who have served in the Army, Navy, Marine Corps, Air Force, or Coast Guard of the United States during the period prescribed in subsection a. of this section regardless of length of service, and who have been discharged on account of wounds received or disability incurred during such period in the line of duty; or subsequent to a regular discharge, have been furnished hospitalization or awarded compensation by the Government on account of such wounds or disability.

c. The spouse of any person in either of the first two classes listed in this section, if the spouse has the consent of such person to exercise his or her preference right. (See subsection 7. c. of this announcement regarding the provision that a married woman must be head of a family.)

d. The surviving spouse of any person in either of the first two classes listed in this section, or in the case of the death or marriage of such spouse, the minor child or children of such person by guardian duly appointed and qualified and who furnishes to the examining board acceptable evidence of such appointment and qualification.

e. The surviving spouse of any person whose death has resulted from wounds received or disability incurred in the line of duty while serving in the Army, Navy, Marine Corps, Air Force, or Coast Guard during the period described in subsection a. of this section, or in the case of death or marriage of such spouse, the minor child or children of such person by a guardian duly appointed and qualified and who furnishes to the examining board acceptable evidence of such appointment and qualification.

SEC. 4. *Definition of honorable discharge.* An honorable discharge means:

a. Separation from the service by means of an honorable discharge or by the acceptance of resignation or a discharge under honorable conditions.

b. Release from active duty under honorable conditions to an inactive status, whether or not in a reserve component or retirement.

Any person who obtains an honorable discharge as herein defined shall be entitled to veterans preference even though such person thereafter resumes active military duty.

QUALIFICATIONS REQUIRED OF PURCHASERS

SEC. 5. *Examining board.* An examining board of three members has been appointed by the Regional Director, Region I, Bureau of Reclamation, to determine the qualifications and fitness of

applicants to undertake the purchase, development, and operation of a farm on the Columbia Basin Project. The board will make careful investigations to verify the statements and representations made by applicants. Any false statements may constitute grounds for rejection of an application, and cancellation of the applicant's right to purchase a farm unit.

SEC. 6. *Minimum qualifications.* Certain minimum qualifications have been established which are considered necessary for the successful development of farm units. Applicants must meet these qualifications in order to be eligible for the purchase of farm units. Failure to meet them in any single respect will be sufficient cause for rejection of an application. No added credit will be given for qualifications in excess of the required minimum. The minimum qualifications are as follows:

a. *Character and industry.* An applicant must be possessed of honesty, temperate habits, thrift, industry, seriousness of purpose, record of good moral conduct, and a bona fide intent to engage in farming as an occupation.

b. *Farm experience.* Except as otherwise provided in this subsection, an applicant must have had a minimum of two years (24 months) of full-time farm experience, which shall consist of participation in actual farming operations, after attaining the age of 15 years. Time spent in agricultural courses in an accredited agricultural college or time spent in work closely associated with farming, such as teaching vocational agriculture, agricultural extension work, or field work in the production or marketing of farm products, which, in the opinion of the board will be of value to an applicant in operating a farm, may be substituted for full-time farm experience. Such substitution shall be on the basis of one year (academic year of at least nine months) of agricultural college courses or one year (twelve months) of work closely associated with farming for six months of full-time farm experience. Not more than one year of full-time farm experience of this type will be allowed. A farm youth who actually resided and worked on a farm after attaining the age of 15 and while attending school may credit such experience as full-time experience.

Applicants who have acquired their experience on an irrigated farm will not be given preference over those whose experience was acquired on a nonirrigated farm, but all applicants must have had farm experience of such nature as in the judgment of the examining board will qualify the applicant to undertake the development and operation of an irrigated farm by modern methods.

c. *Health.* An applicant must be in such physical condition as will enable him to engage in normal farm labor.

d. *Capital.* An applicant must possess assets worth at least $4,500 in excess of liabilities. Assets must consist of cash, property readily convertible into cash or property such as livestock, farm machinery and equipment, which, in the opinion of the board, will be useful in the development and operation of a new, irrigated farm. In considering the practical value of property which will be useful in the development of a farm, the board will not value household goods at more than $500 or a passenger car at more than $500. Assets not useful in the development of a farm will be considered if the applicant furnishes, at the board's request, evidence of the value of the property and proof of its conversion into useful form before execution of a purchase contract.

SEC. 7. *Other qualifications required.* Each applicant (except guardian) must meet the following requirements:

a. Be a citizen of the United States or have declared an intention to become a citizen of the United States.

b. Not own outright, or control under a contract to purchase, more than ten acres of crop land or a total of 160 acres of land at the time of execution of a purchase contract for a farm unit.

c. If a married woman, or a person under 21 years of age who is not eligible for veterans preference, be the head of a family. The head of a family is ordinarily the husband, but a wife or a minor child who is obliged to assume major responsibility for the support of a family may be the head of a family.

WHERE AND HOW TO SUBMIT AN APPLICATION

SEC. 8. *Filing application blanks.* Any person desiring to purchase a farm unit offered for sale by this announcement must fill out the attached application blank and file it with the Land Settlement Branch, Bureau of Reclamation, Ephrata, Washington, in person or by mail. Additional application blanks may be obtained from the office of the Bureau of Reclamation at Ephrata, Washington; Post Office Box 937, Boise, Idaho; or Washington, D. C. No advantage will accrue to an applicant who presents an application in person. Each application submitted, including the evidence of qualification to be submitted following the public drawing, will become a part of the records of the Bureau of Reclamation and cannot be returned to the applicant.

SELECTION OF QUALIFIED APPLICANTS

SEC. 9. *Priority of applications.* All applications will be classified for priority purposes as follows:

a. *First priority group.* All complete applications filed prior to 2 p. m., February 27, 1953, by applicants who claim veterans preference. All such applications will be treated as simultaneously filed.

b. *Second priority group.* All complete applications filed prior to 2 p. m., February 27, 1953, by applicants who do not claim veterans preference. All such applications will be treated as simultaneously filed.

c. *Third group.* All complete applications filed after 2 p. m., February 27, 1953. Such applications will be considered in the order in which they are filed if any farm units are available for sale to applicants within this group.

SEC. 10. *Public drawing.* After the priority classification, the board will conduct a public drawing of the names of the applicants in the First Priority Group as defined in subsection 9.a. of this announcement. Applicants need not be present at the drawing to participate therein. The names of a sufficient number of applicants (not less than four times the number of farm units to be offered for sale) shall be drawn and numbered consecutively in the order drawn for the purpose of establishing the order in which the applications drawn will be examined by the board to determine whether the applicants meet the minimum qualifications prescribed in this announcement, and to establish the priority of qualified applicants for the selection of farm units. After such drawing, the Board shall notify each applicant of his respective standing as a result of the drawing.

SEC. 11. *Submission of evidence of qualification.* After the drawing, a sufficient number of applicants, in the order of their priority as established by the drawing, will be supplied with forms on which to submit evidence of qualification, showing that they meet the qualifications set forth in sections 6 and 7 of this announcement and, in case veterans preference is claimed, establishing proof of such preference, as set forth in section 3 of this announcement. Full and accurate answers must be made to all questions. The completed form must be mailed or delivered to the Land Settlement Branch, Bureau of Reclamation, Ephrata, Washington, within 20 days of the date the form is mailed to the last address furnished by the applicant. Failure of an applicant to furnish all of the information requested or to see that information is furnished by his references within the time period specified will subject his application to rejection.

SEC. 12. *Examination and interview.* After the information outlined in section 11 of this announcement has been received or the time for submitting such statements has expired, the Board shall examine in the order drawn a sufficient number of applications together with the evidence of qualification submitted to determine the applicants who will be permitted to purchase farm units. This examination will determine the sufficiency, authenticity, and reliability of the information and evidence submitted by the applicants.

If the applicant fails to supply any of the information required or the Board finds that the applicant's qualifications do not meet the requirements prescribed in this announcement, the applicant shall be disqualified and shall be notified by the Board, by registered mail, of such disqualification and the reasons therefor and of the right to appeal to the Regional Director, Region 1, Bureau of Reclamation. All appeals must be received in the office of the Land Settlement Branch, Bureau of Reclamation, Ephrata, Washington, within 15 days of the applicant's receipt of such notice or, in any event, within 30 days from the date when the notice is mailed to the last address furnished by the applicant. The Land Settlement Branch will promptly forward the appeal to the Regional Director.

If the examination indicates that an applicant is qualified, the applicant may be required to appear for a personal interview with the Board for the purpose of: (a) Affording the Board any addi-

tional information it may desire relative to his qualifications; (b) affording the applicant any information desired relative to conditions in the area and the problems and obligations relative to development of a farm unit; and (c) affording the applicant an opportunity to examine the farm units.

If an applicant fails to appear before the Board for a personal interview on the date requested, he will thereby forfeit his priority position as determined by the drawing.

If the Board finds that an applicant's qualifications fulfill the requirements prescribed in this announcement, such applicant shall be notified, in person or by registered mail, that he is a qualified applicant and shall be given an opportunity to select one of the farm units available then for purchase. Such notice will require the applicant to make a field examination of the farm units available to him and in which he is interested, to select a farm unit, and to notify the Board of such selection within the time specified in the notice.

SELECTION OF FARM UNITS

SEC. 13. *Order of selection.* The applicants who have been notified of their qualification for the purchase of a farm unit will successively exercise the right to select a farm unit in accordance with the priority established by the drawing. If a farm unit becomes available through failure of a qualified applicant to exercise his right of selection or failure to complete his purchase, it will be offered to the next qualified applicant who has not made a selection at the time the unit is again available. An applicant who is considered to be disqualified as a result of the personal interview will be permitted to exercise his right to select, notwithstanding his disqualification, unless he voluntarily surrenders this right in writing. If, on appeal, the action of the Board in disqualifying an applicant as a result of the personal interview is reversed by the Regional Director, the applicant's selection shall be effective, but if such action of the Board is upheld by the Regional Director, the farm unit selected by this applicant will become available for selection by qualified applicants who have not exercised their right to select.

If any of the farm units listed in this announcement remain unselected after all qualified applicants whose names were selected in the drawing have had an opportunity to select a farm unit, and if additional applicants remain in the first priority group, the Board will follow the same procedure outlined in section 10 of this announcement in the selection of additional applicants from this group.

If any of the farm units remain unselected after all qualified applicants in the first priority group have had an opportunity to select a farm unit, the Board will follow the same procedure to select applicants from the second priority group, and they will be permitted to exercise their right to select a farm unit in the manner prescribed for the qualified applicants from the first priority group.

Any farm units remaining unselected after all qualified applicants in the second priority group have had an opportunity to select a farm unit will be offered to applicants in the third group in the order in which their applications were filed, subject to the determination of the Board, made in accordance with the procedure prescribed herein, that such applicants meet the minimum qualifications prescribed in this announcement.

If any farm units offered by or under this announcement remain unsold for a period of two years following the date of this announcement, the District Manager, Columbia River District, Bureau of Reclamation, may sell, lease or otherwise dispose of such units to qualified applicants without regard to the provisions of section 10 of this announcement.

SEC. 14. *Failure to select.* If any applicant refuses to select a farm unit or fails to do so within the time specified by the Board, such applicant shall forfeit his position in his priority group and his name shall be placed last in that group.

PURCHASE OF SELECTED UNIT

SEC. 15. *Execution of purchase contract.* When a farm unit is selected by an applicant as provided in section 13 of this announcement, the District Manager will promptly give the applicant a written notice confirming the availability to him of the unit selected and will furnish the necessary purchase contract, together with instructions concerning its execution and return. In that notice the District Manager will also inform the applicant of the amount of the irrigation charges assessed by the Quincy-Columbia Basin Irrigation District or, if such charges have not been assessed, of an estimate of the amount of the charges for the first year of the development period, to be deposited with the District Manager.

If the purchase is made subsequent to April 1 of any year following the first year of the development period, a deposit will be required to cover the payment of water charges for the next full irrigation season following the purchase.

SEC. 16. *Terms of sale.* Contracts for the sale of farm units pursuant to this announcement will contain, among others, the following principal provisions:

a. *Down payment.* An initial or down payment of not less than 20 percent of the purchase price of the lands being purchased from the United States will be required. Larger proportions, or the entire amount of the price, may be paid initially at the purchaser's option.

b. *Schedule for payment of balance; interest rate.* If only a portion of the purchase price is paid initially, the remainder will be payable within a period of 20 years following the date of the contract. No payments on the principal, except the down payment, will be required during the first three years and the District Manager may postpone such payments for as long as the first five years of the contract. Interest on the unpaid balance at the rate of three percent per annum, however, will be payable annually. When payments on the principal are resumed, they will be payable each year. The schedule of principal payments, which will be established by the District Manager, will provide for relatively small payments during the first years and larger payments during the later years of the contract period. Payment of any or all installments, or any portion thereof, may be made before their due dates at the purchaser's option.

c. *Development requirements.* In order that the irrigable area of the entire farm unit shall be developed with reasonable dispatch, each purchaser will be required, as a minimum, to clear, level, irrigate, and plant to crops by the end of each of the calendar years indicated below, and to maintain in crops thereafter, the following percentages of irrigable land as tentatively or finally classified:

Size of farm unit in irrigable acres	Percentage of land classified tentatively or finally as irrigable to be developed by end of each year. (Period will begin with year of purchase if contract is executed and water is available on or before May 1 of that year; otherwise period will begin with the next calendar year.)			
	2d year	3d year	4th year	5th year
10 to 40	75			
41 to 60	50	75		
61 to 80	50	65	75	
81 to 100	40	50	65	75
101 to 160	35	50	65	75

d. *Residence requirements.* A major objective of the settlement program for the Columbia Basin Project is to assist and encourge the permanent settlement of farm families. In keeping with this objective, each purchaser will be required to do the following with respect to residence: (1) Within one year from the date of his contract, or within one year from the date that water is available to the irrigation block in which the farm unit is located, whichever is later, to initiate residence by actually moving onto the unit, such residence to be maintained by living thereon for not less than 12 months within an 18-month period following the initial date of residence, and (2) before receiving title to the unit under the purchase contract, to establish a permanent and habitable dwelling on the unit. The time for compliance with the initiation of residence may be extended by the District Manager for periods of as long as six months, upon his determination that an extension is necessary to avoid undue hardship to the purchaser and that it will not be detrimental to the orderly development of the irrigation block. The latest permissible date for initiating residence, however, will not be extended for more than one year in addition to the one-year period specified above. In extraordinary situations, the requirements under (1) and (2) above may be waived entirely upon the determination by the Regional Director, after recommendation by the District Manager, that such waiver will be in the interest of orderly development of the block. Any such waiver, however, shall be conditioned on the requirement that the purchaser reside close enough to his unit to permit him to develop it through his own efforts.

e. *Speculation and landholding limitations.* Purchase contracts and deeds covering farm units offered by this announcement will include provisions governing (1) maximum permissible sizes of holdings of irrigable land; (2) continued conformance of land to the area and boundaries of the farm unit plat for the block; (3) prices at which land can be resold during a period of five years following the date on which water is made available to the irrigation block; (4) disposal of land should it become excess at any time; and (5) limitations as to total area that may be operated on the project whether as lessee or as owner or both.

f. *Copies of contract form.* The terms listed above, and all other standard contract provisions, are contained in the purchase contract form, copies of which may be obtained by writing to the Bureau of Reclamation, Ephrata, Washington.

IRRIGATION CHARGES

SEC. 17. *Water rental charges.* During the irrigation season of 1954, while some construction activities will be continuing and the system is being tested, it is expected that water will be furnished on a temporary rental basis to those desiring it. The terms of payment, which will be at a fixed rate per acre-foot of water used, will be announced by the Regional Director before the beginning of the irrigation season.

SEC. 18. *Development period charges.* Pursuant to the provisions of the repayment contract of October 9, 1945, between the United States and the Quincy-Columbia Basin Irrigation District, the Secretary of the Interior will announce a development period of ten years for Irrigation Block 75 during which time payment of construction charge installments will not be required. This period probably will commence with the calendar year 1955. During the development period, water rental charges will average an estimated $5.50 per year for each irrigable acre as tentatively or finally classified. This figure is preliminary and subject to change because all the data needed to fix the charges are not available nor can they be obtained now. In any event, there will be a minimum charge per farm unit each year whether or not water is used. A notice establishing the details of the plan to be followed and announcing charges and governing provisions for the first year of the development period will be issued prior to January 1 of that year, by the Regional Director, who has the responsibility for fixing charges.

The present plans of the Regional Director are (a) to vary the minimum charge according to the anticipated relative repayment ability of the various land classes; (b) to provide for a small minimum charge for the first year and to increase it each year thereafter so that the charge for the tenth year will be approximately equal to the combined construction and operation and maintenance charge for the following year; and (c) to charge for water in excess of the amount furnished for the minimum charge on an acre-foot basis. The minimum charge will entitle each user to a quantity of water to be specified by the Regional Director, varying with the water requirement classification of the land and the size of the farm unit.

In addition to the water rental charges, the Irrigation District will levy an additional charge to cover administrative costs and probable delinquencies in collections.

SEC. 19. *Construction period repayment charges—a. Operation and maintenance charges.* After the development period has ended, water users will pay a charge for operation and maintenance of the project irrigation system which will be uniform for the irrigation blocks throughout the project. These charges may or may not be graduated among land classes. Assessment procedure will be left for the Irrigation District Board of Directors to determine, but, in any case, there will be an annual minimum charge per acre. In order to encourage careful use of water, this annual minimum charge will entitle the water user to an amount which is less than the average amount of water normally required. Although the amount now being allowed for the minimum charge is one-half acre-foot of water per acre less than the average normal requirement, the amount will have to be fixed by an amendment to the repayment contract before the end of the development period, depending on experience gained during the development period and the agreement to be reached with the District. Water in excess of the quantity covered by the minimum charge will be paid for on an acre-foot basis in accordance with an ascending, graduated scale.

b. *Construction charges.* The contract between the United States and the Quincy-Columbia Basin Irrigation District requires the payment of construction charges for the project irrigation system during the forty years following the development period. The average construction charge per irrigable acre for the entire project will be $2.12 per year. Thus, the total construction charge payment will average $85 per irrigable acre. The contract further provides that construction charges shall be graduated according to the relative repayment ability of the land; consequently, the charge per irrigable acre will be larger for the better lands than for the poorer lands. This allocation of construction charges by classes of land will be made as soon as practicable.

VERNON D. NORTHROP,
Under Secretary of the Interior

[F. R. Doc. 53-371; Filed, Jan. 14, 1953; 8:47 a. m.]

[No. 10]

YUMA MESA DIVISION, GILA IRRIGATION PROJECT, ARIZONA

PUBLIC NOTICE OF ANNUAL WATER RENTAL CHARGES

DECEMBER 31, 1952.

1. *Water rental.* Irrigation water will be furnished during calendar year 1953 under approved applications for water service during development period to the public land, public land entered, state land and private land described in section 1 of Public Notice Nos. 4 and 9 dated December 10, 1947, amended January 8, 1951, and January 21, 1952, respectively, both entitled "Public Notice Announcing Availability of Water for Public, State and Private Lands and Opening of Public Lands to Entry," to the desert land entries and private land described in Paragraph 1 of Public Notice No. 7 dated January 7, 1950, entitled "Public Notice Announcing Availability of Water for Certain Desert Land Entries and Private Lands," and, when available and where the progress of construction contemplated herein will permit, upon a rental basis under approved applications for temporary water service to those public lands in the Yuma Mesa Unit of the Yuma Mesa Division which are not described in either of said notices, and to those private lands in said unit listed below.

PRIVATE LANDS

GILA AND SALT RIVER MERIDIAN, ARIZONA

T. 8 S., R. 23 W.,
Sec. 34, NW¼SE¼ lying S. of S. P R. R.
T. 9 S., R. 22 W.,
Sec. 31, S½SW¼.
T. 9 S., R. 23 W.,
Sec. 2, E½SE¼SW¼.
Sec. 10, N½N½NE¼NE¼.
T. 10 S., R. 22 W.,
Sec. 6, W½NW¼.

2. *Charges and terms of payment.* Water rental charges shall be payable in advance of the delivery of water at rates as follows:

(a) (i) For lands irrigated hereunder by gravity before July 1, 1953, and under irrigation prior to July 1, 1952, the minimum charge shall be $11.70 per acre for each acre of land for which water service is requested, payment of which will entitle the applicant to an allotment of 9 acre feet of water per acre. Additional water will be furnished at the rate of $1.60 per acre-foot.

(a) (ii) For lands irrigated hereunder by gravity before July 1, 1953, and not under irrigation prior to July 1, 1952, the minimum charge shall be $7.20 per acre for each acre of land for which water service is requested during 1953, payment of which will entitle the applicant to an allotment of 12 acre feet of water per acre for the establishment of a new crop on raw land. Additional water will be furnished at the rate of $1.00 per acre-foot.

(a) (iii) For lands irrigated hereunder by sprinkler the minimum charge shall be $6.50 per acre for each acre of land for which water service is requested, payment of which will entitle the applicant to an allotment of 5 acre feet of water per acre. Additional water will be furnished at the rate of $1.60 per acre-foot.

(a) (iv) If applicant so requests, one-half of said minimum charge may be paid on January 1, 1953, or at such time prior to July 1, 1953, as the water-service application may be filed, which, upon approval, shall entitle the applicant to one-half of the allotment of water as set forth in paragraphs 2 (a) (i), 2 (a) (ii) or 2 (a) (iii) above. The balance of said minimum charge shall be paid on July 1, 1953, or at such time as applicant re-

quires more than one-half of such allotment of water, whichever is sooner, and payment thereof shall entitle the applicant to the remaining one-half of such allotment.

(b) For the remaining lands mentioned in paragraph 1 not irrigated at any time theretofore, but receiving water after July 1, 1953, there will be a charge of $0.60 per acre-foot for the first 6 acre feet of water ordered during calendar year 1953 and a charge of $1.00 per acre-foot for all additional water ordered during that year.

3. The presently constructed distribution system for lands in the Yuma Mesa Unit of the Yuma Mesa Division generally provides single turnout facilities for legal subdivisions of private lands comprising approximately 80 gross acres. Under present plans the Bureau contemplates the construction of additional water service facilities upon application therefor, subject to the conditions stated below, for units lacking individual water service facilities which constitute portions of such subdivisions and which comprised not less than approximately 40 gross acres as of December 31, 1947, according to records of the County Recorder of Yuma County, Arizona. Each request for the construction of such facilities shall be accompanied by a deposit of the minimum per-acre charge mentioned in paragraph 2 (a) above and by evidence satisfactory to the Chief, Operations Division, Lower Colorado River District, that the applicant will proceed as expeditiously as practicable with the agricultural development of the unit. Such construction will be limited to the extent deemed by the Bureau to be practicable and prosecution thereof will be subject to the availability of funds therefor; such construction will be scheduled for completion within six months from the approval of such request. Upon approval of such request, the above-mentioned deposit shall be credited to the applicant's account and thereafter applied against charges made pursuant to paragraphs 2 (a) (i) 2 (a) (ii) 2 (a) (iii) or 2 (b) above in connection with water delivered to said unit.

4. Except as otherwise provided in the Reclamation Law (act of June 17, 1902, 32 Stat. 388, as amended or supplemented) no water will be delivered hereunder to any lands which constitute "excess lands" within the meaning of said laws.

5. No application for water service to isolated tracts will be approved where such service, in the opinion of the Chief, Operations Division, Lower Colorado River District, would require excessive expenditures for maintenance.

6. Applications for temporary water service may be made by the landowner or by anyone who presents evidence satisfactory to the Chief, Operations Division, Lower Colorado River District, that he is the tenant or lessee of the land for which water is requested, or that he has been authorized by the owner to make a water rental application for such land.

7. Water service applications and the payments required thereunder will be received at the office of the Chief, Operations Division, Lower Colorado River District, Yuma, Arizona.

E. G. NIELSEN,
Regional Director.

[F. R. Doc. 53-370; Filed, Jan. 14, 1953; 8:46 a. m.]

YUMA PROJECT, CALIFORNIA

ORDER OF REVOCATION

DECEMBER 29, 1952.

Pursuant to the authority delegated by Departmental Order No. 2515 of April 7, 1949 (14 F. R. 1937), I hereby revoke Departmental Orders of January 31, 1903, April 9, 1909, and April 5, 1910, in so far as said orders affect the following described lands: *Provided, however* That such revocation shall not affect the withdrawal of any other lands by said orders or affect any other orders withdrawing or reserving the lands hereinafter described:

YUMA PROJECT, SAN BERNARDINO MERIDIAN, CALIFORNIA

T. 16 S., R. 16 E.,
Sec. 25, S½NE¼, E½SW¼ and SE¼.

The above area aggregates 320 acres.

G. W LINEWEAVER,
Acting Commisioner.

I concur. The records of the Bureau of Land Management will be noted accordingly.

Frank O'Dwyer and Mae O'Dwyer, former desert land entrymen (Los Angeles 090811 and 090812), who have incurred considerable expense in preparing the land for irrigation, are asserting equitable claims thereto. The lands are desert in character.

No application for these lands may be allowed under any nonmineral public-land law unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon consideration of an application.

This order shall not otherwise become effective to change the status of these lands until 10:00 a. m. on the 21st day after the date of this order. At that time the said lands shall, subject to valid existing rights, the provisions of existing withdrawals, the requirements of applicable law, and the 91-day preference-right period for veterans and other qualified persons entitled to preference under the act of September 27, 1944 (58 Stat. 747, 43 U. C. C. 279-284), as amended, become subject to application, petition, location or other appropriation under the applicable public-land laws.

WILLIAM ZIMMERMAN, Jr.,
Associate Director,
Bureau of Land Management.

JANUARY 9, 1953.

[F. R. Doc. 53-369; Filed, Jan. 14, 1953; 8:46 a. m.]

DEPARTMENT OF AGRICULTURE

Rural Electrification Administration

[Administrative Order 3849]

OKLAHOMA

LOAN ANNOUNCEMENT

OCTOBER 28, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Oklahoma 32E Comanche	$1,367,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 53-414; Filed, Jan. 14, 1953; 8:56 a. m.]

[Administrative Order 3850]

OHIO

LOAN ANNOUNCEMENT

NOVEMBER 1, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Ohio 41N Licking	$505,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-415; Filed, Jan. 14, 1953; 8:56 a. m.]

[Administrative Order 3851]

MISSOURI

LOAN ANNOUNCEMENT

NOVEMBER 1, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Missouri 69H Barry	$90,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F.R. Doc. 53-416; Filed, Jan. 14, 1953; 8:56 a. m.]

[Administrative Order 3852]

NORTH CAROLINA

LOAN ANNOUNCEMENT

NOVEMBER 1, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended,

a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
North Carolina 55L Craven	$635,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-417; Filed, Jan. 14, 1953; 8:56 a. m.]

[Administrative Order 3853]

FLORIDA

LOAN ANNOUNCEMENT

NOVEMBER 1, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Florida 26R Hardee	$480,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-418; Filed, Jan. 14, 1953; 8:56 a. m.]

[Administrative Order 3854]

TEXAS

LOAN ANNOUNCEMENT

NOVEMBER 3, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Texas 107X Martin	$40,000

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-419; Filed, Jan. 14, 1953; 8:56 a. m.]

[Administrative Order 3855]

ALLOCATION OF FUNDS FOR LOANS

NOVEMBER 5, 1952.

Inasmuch as Craig-Botetourt Electric Cooperative has transferred certain of its properties and assets to Ocracoke Electric Membership Corporation, and Ocracoke Electric Membership Corporation has assumed in part the indebtedness to United States of America, of Craig-Botetourt Electric Cooperative, arising out of loans made by United States of America pursuant to the Rural Electrification Act of 1936, as amended, I hereby amend:

(a) Administrative Order No. 1513, dated May 12, 1948, by changing the project designation appearing therein as "Virginia 2M Craig" in the amount of $362,000 to read "Virginia 2M Craig" in the amount of $356,176.29 and "North Carolina 63TP2 Hyde (Virginia 2M Craig)" in the amount of $5,823.71.

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-420; Filed, Jan. 14, 1953; 8:57 a. m.]

[Administrative Order 3856]

OKLAHOMA

LOAN ANNOUNCEMENT

NOVEMBER 10, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Oklahoma 22AC Cotton	$765,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 53-421; Filed, Jan. 14, 1953; 8:57 a. m.]

[Administrative Order 3857]

MINNESOTA

LOAN ANNOUNCEMENT

NOVEMBER 10, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Minnesota 1V Kanabec	$206,000

[SEAL] WM. C. WISE,
Acting Administrator

[F. R. Doc. 53-422; Filed, Jan. 14, 1953; 8:57 a. m.]

[Administrative Order 3858]

TEXAS

LOAN ANNOUNCEMENT

NOVEMBER 10, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Texas 149D Gillespie	$345,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 53-423; Filed, Jan. 14, 1953; 8:57 a. m.]

[Administrative Order T-223]

TEXAS

LOAN ANNOUNCEMENT

OCTOBER 28, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Etex Telephone Cooperative, Inc., Texas 572-A	[1] $665,000

[1] Simultaneous allocation and loan.

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-424; Filed, Jan. 14, 1953; 8:57 a. m.]

[Administrative Order T-224]

WYOMING

LOAN ANNOUNCEMENT

OCTOBER 29, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Silver Star Telephone Co., Inc., Wyoming 501-A	[1] $92,000

[1] Simultaneous allocation and loan.

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-425; Filed, Jan. 14, 1953; 8:57 a. m.]

[Administrative Order T-225]

SOUTH CAROLINA

LOAN ANNOUNCEMENT

OCTOBER 30, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Farmers Telephone Cooperative, Inc., South Carolina 518-A	[1] $714,000

[1] Simultaneous allocation and loan.

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53-426; Filed, Jan. 14, 1953; 8:57 a. m.]

[Administrative Order T-226]

WISCONSIN

LOAN ANNOUNCEMENT

OCTOBER 31, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as

amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: *Amount*
Cream Valley Telephone Co., Wisconsin 526–B $64,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 53–427; Filed, Jan. 14, 1953; 8:57 a. m.]

[Administrative Order T–227]

ALLOCATION OF FUNDS FOR LOANS

NOVEMBER 4, 1952.

I hereby amend:

(a) Administrative Order No. T–32, dated April 6, 1951, by reducing the loan of $624,000 therein made for "Eastex Telephone Cooperative, Inc.—Texas 510–A" by $166,000 so that the reduced loan shall be $458,000.

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53–428; Filed, Jan. 14, 1953; 8:58 a. m.]

[Administrative Order T–228]

TEXAS

LOAN ANNOUNCEMENT

NOVEMBER 4, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: *Amount*
Rosebud Telephone Co., Inc., Texas 556–A ..... [1] $290,000

[1] Simultaneous allocation and loan.

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 53–429; Filed, Jan. 14, 1953; 8:58 a. m.]

[Administrative Order T–229]

WISCONSIN

LOAN ANNOUNCEMENT

NOVEMBER 4, 1952.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: *Amount*
Richland-Grant Telephone Cooperative, Inc., Wisconsin 525–A [1] $244,000

[1] Simultaneous allocation and loan.

[SEAL] CLAUDE R. WICKARD,
Administrator

[F. R. Doc. 53–430; Filed, Jan. 14, 1953; 8:58 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

[No. M–57]

ISBRANDTSEN CO., INC.

NOTICE OF HEARING ON APPLICATION TO BAREBOAT CHARTER A GOVERNMENT-OWNED, WAR-BUILT, DRY-CARGO VESSEL

Pursuant to section 3, Public Law 591, 81st Congress, notice is hereby given that an informal public hearing will be held at Washington, D. C., on January 21, 1953, at 10 o'clock a. m., in Room 4823, Department of Commerce Building, before Examiner A. L. Jordan, upon the application of Isbrandtsen Co., Inc., to bareboat charter the Government-owned, war-built, dry-cargo vessel, the SS Pass Christian Victory, for use as an animal carrier for a period of from four to six months between United States Atlantic and Gulf ports and Continental ports, including the Mediterranean.

The purpose of the hearing is to receive evidence with respect to whether the service for which such vessel is proposed to be chartered is required in the public interest and is not adequately served, and with respect to the availability of privately-owned American-flag vessels for charter on reasonable conditions and at reasonable rates for use in such service. Evidence also will be received with respect to any restrictions or conditions that may under the statute be included in the charter if the application should be granted.

All persons having an interest in the application will be given an opportunity to be heard if present.

The parties may have oral argument before the examiner immediately following the close of the hearing, in lieu of briefs, and the examiner will issue a recommended decision. Parties may have seven (7) days or such shorter time as may be agreed to at the hearing within which to file exceptions to, or memoranda in support of, the examiner's recommended decision, but the Board reserves the right to determine whether oral argument on exceptions will be granted and whether briefs in connection therewith will be received.

Any petition for reconsideration of final Board action must be filed within fifteen (15) days after the date of such action.

Dated: January 7, 1953.

By order of the Federal Maritime Board.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 53–366; Filed, Jan. 14, 1953; 8:45 a. m.]

MEMBER LINES OF PACIFIC WESTBOUND CONFERENCE AND INTERCONTINENTAL MARINE LINES, INC., ET AL.

NOTICE OF AGREEMENTS FILED WITH BOARD FOR APPROVAL

Notice is hereby given that the following described agreements have been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, as amended.

(1) Agreement No. 57–39 between the Member Lines of the Pacific Westbound Conference and Intercontinental Marine Lines, Inc., covers the admission of said company to associate membership in the Pacific Westbound Conference. As an associate member, Intercontinental Marine Lines, Inc., will have no vote in Conference affairs, but will be permitted to participate in Conference contracts with shippers, and will be exempted from posting of the usual surety bond.

(2) Agreement No. 7885 between American Export Lines, Inc. and Bull Insular Line, Inc., covers the transportation of cargo on through bills of lading from ports in Spain and Portugal to the Virgin Islands, with transhipment at New York.

(3) Agreement No. 7650–5, between the Member Lines of the Santiago de Cuba Conference, modifies the basic agreement of that Conference (No. 7650) to provide that unless otherwise agreed, members shall accept cargo for Sanitago de Cuba only for direct discharge. Agreement 7650 covers the transportation of cargo between Atlantic and Gulf ports of the United States and Santiago de Cuba.

Interested parties may inspect these agreements and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to any of the agreements and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: January 12, 1953.

By order of the Federal Maritime Board.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 53–446; Filed, Jan. 14, 1953; 8:59 a. m.]

Office of International Trade

[Case No. 143]

PHILADELPHIA HIDE CORP. AND ISADORE J. BRODSKY

ORDER DENYING LICENSE PRIVILEGES

In the matter of Philadelphia Hide Corporation, Isadore J. Brodsky, Ontario Street east of Richmond Street, Philadelphia 34, Pennsylvania, Respondents; Case No. 143.

This proceeding was instituted on December 13, 1951, by the transmission of a charging letter issued by the Investigation Staff, Office of International Trade, to Philadelphia Hide Corporation, Isadore J. Brodsky, vice president and treasurer of said company ("Philadelphia"), and others, charging said respondents with specific acts alleged to have violated the Export Control Act of 1949, as amended, and the regulations thereunder.

After receiving said charging letter the other respondents named therein admitted the charges applicable to them in said charging letter, and in other charging letters not related to this proceeding, and consented to an order denying their export privileges until December 13, 1954 (17 F R. 8551–8553)

The proceedings against the instant respondents were thereafter duly severed and respondents were granted a hearing before the Compliance Commissioner in Washington, D. C., on December 23, 1952, at which respondents appeared by Isadore J. Brodsky and the Office of International Trade was represented by counsel.

The report of the Compliance Commissioner shows the facts to be as follows: A customer of Philadelphia (the other respondents named in the charging letter) held an order for a quantity of calfskins from a purchaser in Japan which he was unable to complete because then governing quota allocations of hides established by the Office of International Trade prevented him from obtaining an export license for the exportation thereof.

Taking advantage of respondents' inexperience with validated license procedure and of their reliance on his integrity, this customer induced respondents to obtain in the name of Philadelphia, but for the benefit and use of such customer, two validated export licenses authorizing the shipment to Japan of a quantity of calfskins which they (respondents) had sold to such customer. In obtaining the licenses, respondents represented on the applications (prepared by such customer) they were the holders of the order from the named Japanese consignee; in effecting the exportations, respondents certified on the shipper's export declarations (also prepared by such customer) they were the true exporter.

The facts further show that in addition to the aforesaid exportations, respondents, acting on the instructions of such customer, permitted him to use one of the licenses to make other exportations to his Japanese customer of hides acquired from a supplier other than Philadelphia; and, also on the instructions of the customer, granted authority to a freight forwarder, designated by such customer, to prepare and execute shipper's export declarations in their (respondents') name and behalf to effect such exportations.

It appears from the Compliance Commissioner's report that respondents' participation in the violations is attributable to their desire to accommodate their customer and the misconception that such acts were proper, based upon misplaced reliance on the integrity of such customer and their own lack of knowledge of export procedure.

While the Compliance Commissioner has properly found, and his report shows, that respondents must be held responsible for their violations, the Compliance Commissioner has pointed out certain extenuating factors applicable to respondents in addition to his conclusion that the violations were not wilful and intentional by respondents. When the respondents were informed of this case, they immediately gave full co-operation to the Office of International Trade in connection with the investigation and also voluntarily made a full statement of their participation herein.

In addition, it appears that respondents have an established reputation for integrity and reliability and that this is the only known instance where they have been charged with a breach of export regulations such as those here involved. It further appears that respondents have been engaged in the domestic purchase and sale of hides and skins and, although occasional exports are made to Canada which require no validated licenses, their inexperience with the regulations relating to validated export licenses and exports made thereunder was a factor in their violations.

The Compliance Commissioner has concluded that the evidence clearly establishes the primary responsibility for the violations herein upon respondents' customer, but that respondents' negligence and lack of perception contributed materially to the ease with which they were misled. He has held that blind adherence to the customer's instructions and the unquestioning execution of documents prepared by such customer involve a degree of carelessness bordering on dereliction and cannot be condoned. The Compliance Commissioner has concluded further that in such circumstances one who participates in an export transaction or violates the integrity of export control documents in doing so must be deemed to accept responsibility for his acts and may not escape the consequences thereof by claim of non-intent (to violate) or inexperience.

The findings and recommendations of the Compliance Commissioner have been carefully considered together with the evidence and the entire record herein, and it appears that such findings are in accordance with the evidence and that such recommendations are reasonable and should be adopted.

Now, therefore, it is ordered as follows:

(1) Respondents Philadelphia Hide Corporation and Isadore J. Brodsky are hereby denied and declared ineligible to exercise the privileges of obtaining or using export licenses, including validated and general export licenses, for the exportation of any commodity from the United States to any foreign destination, for a period of three (3) months from the date of this order. Such denial of export privileges is deemed to include and prohibit participation, directly or indirectly, in any manner or capacity, (a) as a party or as a representative of a party, to any exportation under validated or general export licenses; and (b) in the financing, forwarding, transporting, or other servicing of exports from the United States pursuant to any validated or general export licenses.

(2) Such denial of export privileges shall extend not only to respondent Philadelphia Hide Corporation, its officers, directors, and employees, and respondent Isadore J. Brodsky, but also to any person, firm, corporation, or business organization with which said respondents may be now or hereafter related by ownership or control in the conduct of trade involving exports from the United States under validated and general export licenses, or services connected therewith.

(3) No person, firm, corporation, or other business organization shall knowingly apply for or obtain any license, shipper's export declaration, bill of lading, or other export control document relating to any exportation from the United States under validated and general export licenses, to or for the respondents, or any person, firm, corporation, or other business organization covered by paragraph (2) hereinabove, without prior disclosure of such facts to, and specific authorization from, the Office of International Trade.

Dated: January 9, 1953.

JOHN C. BORTON,
Assistant Director
for Export Supply.

[F. R. Doc. 53–388; Filed, Jan. 14, 1953; 8:50 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U. S. C. and Sup. 214), and Part 522 of the regulations issued thereunder (29 CFR Part 522), special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners, and learning period for certificates issued under the general learner regulations (§§ 522.1 to 522.14) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in these regulations.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear and Other Odd Outerwear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry Learner Regulations (29 CFR 522.160 to 522.166, as amended December 31, 1951, 16 F R. 12043; and June 2, 1952; 17 F R. 3818)

Alan Manufacturing, 695 Hazle Avenue, Wilkes-Barre, Pa., effective 12–31–52 to 6–30–53; 15 learners for expansion purposes (dresses).

The Appleby Manufacturing Co., Inc., 23 East Franklin Street, Danbury, Conn., effective 12–31–52 to 12–30–53; 10 percent of the factory production force for normal labor turnover purposes (sport shirts).

Barnesville Manufacturing Co., Inc., 315–319 South Gardner Street, Barnesville, Ohio; effective 1–10–53 to 1–9–54; 10 percent of the factory production workers for normal labor turnover purposes (pajamas).

Big Dad Manufacturing Co., Inc., Starke, Fla., effective 1-14-53 to 1-13-54; 10 percent of the factory production force for normal labor turnover purposes (dungarees, work pants, sport shirts).

Brunswick Manufacturing Co., Inc., Goodyear Park, Brunswick, Ga., effective 1-5-53 to 1-4-54; 10 learners for normal labor turnover purposes (children's jackets).

Bryant Manufacturing Co., Villa Rica, Ga., effective 12-31-52 to 12-30-53; 10 learners for normal labor turnover purposes (sport shirts).

Calcrest Outerwear, Inc., 17 North Fourteenth Street, Murphysboro, Ill., effective 1-2-53 to 1-1-54; 10 percent of the factory production force for normal labor turnover purposes (jackets).

Calumet Garment Co., 913 East Chicago Avenue, East Chicago, Ind., effective 12-30-52 to 6-29-53; five learners for expansion purposes (men's and boys' sport and dress trousers).

Calumet Garment Co., 913 East Chicago Avenue, East Chicago, Ind., effective 12-30-52 to 12-29-53; 10 percent of the factory production workers for normal labor turnover purposes (men's and boys' sport and dress trousers).

Columbia Garment Corporation, 64 North Sixth Street, Hudson, N. Y., effective 1-5-53 to 1-4-54; five learners (women's dresses).

Cornelia Garment Co., Cornelia, Ga., effective 1-5-53 to 1-4-54; 10 percent of the factory production force for normal labor turnover purposes (shirts and jackets).

Cornelia Garment Co., Demorest, Ga., effective 1-5-53 to 1-4-54; five learners (cowboy shirts).

Dunhill Shirt Co., Holden, Mo., effective 1-8-53 to 1-7-54; 10 percent of the factory production force for normal labor turnover purposes (shirts).

Dunhill Shirt Co., Lexington, Mo., effective 1-12-53 to 1-11-54; 10 percent of the factory production force for normal labor turnover purposes (men's shirts).

Grandeur Fashions, Inc., 204 Oliver Street, Swoyerville, Pa., effective 12-31-52 to 12-30-53; five learners (women's blouses).

Hagale Garment Co., Ozark, Mo., effective 12-31-52 to 6-30-53; 40 learners for expansion purposes (putter pants, dungarees, boxer jeans).

F. Jacobson & Sons, Inc., Salisbury, Md., effective 12-31-52 to 12-30-53; 10 percent of the factory production force for normal labor turnover purposes (men's shirts).

F. Jacobson & Sons, Inc., Salisbury, Md., effective 12-31-52 to 6-30-53; 10 learners for expansion purposes (men's shirts).

Jefferson Manufacturing Co., 255 State Street, Watertown, N. J., effective 12-31-52 to 12-30-53; 10 learners (dresses).

La Follette Shirt Co., Inc., La Follette, Tenn., effective 1-5-53 to 1-4-54; 10 percent of the factory production force for normal labor turnover purposes (men's dress and sport shirts).

Lee Jay Sportswear, 3 East Diamond Avenue, Hazelton, Pa., effective 1-5-53 to 1-4-54; 10 percent of the factory production force for normal labor turnover purposes (women's dresses).

R. Lowenbaum Manufacturing Co., 130 North Front Street, Mounds, Ill., effective 12-30-52 to 10-22-53; 10 learners for normal labor turnover purposes (replacement certificate) (junior dresses).

Monleigh Garment Co., Yadkinville Highway, Mocksville, N. C.; effective 1-5-53 to 1-4-54; 10 learners (ladies' pajamas).

Myles Manufacturing Co., Pennsboro, W. Va., effective 1-12-53 to 1-11-54; 10 percent of the factory production force for normal labor turnover purposes (pajamas).

N & W Industries, Inc., Lynchburg, Va., effective 1-2-53 to 1-1-54; 10 percent of the factory production force for normal labor turnover purposes (overalls, dungarees, work shirts, work pants).

Nu-Mode Corset Co., Whitney Point, N. Y.; effective 12-30-52 to 12-29-53; three learners for normal labor turnover purposes (corsets).

Publix Shirt Corp., Gallitzin, Pa., effective 1-4-53 to 1-3-54; 10 percent of the factory production force for normal labor turnover purposes (sport shirts).

Reliance Manufacturing Co., "Freedom" Factory, Hattiesburg, Miss.; effective 1-4-53 to 1-3-54; 10 percent of the factory production force for normal labor turnover purposes (pajamas, flannel shirts, sport shirts).

Reliance Manufacturing Co., "Dixie" Factory, 100 Ferguson Street, Hattiesburg, Miss.; effective 1-4-53 to 1-3-54; 10 percent of the factory production force for normal labor turnover purposes (work shirts, work pants and flannel shirts).

Solomon Bros. Co., Butler, Ala., effective 1-8-53 to 1-7-54; 10 percent of the factory production force for normal labor turnover purposes (men's sport shirts).

Solomon Bros. Co., Camden, Ala., effective 1-11-53 to 1-10-54; 10 learners (men's sport shirts).

Soperton Manufacturing Co., Soperton, Ga., effective 1-11-53 to 1-10-54; 10 percent of the factory production force for normal labor turnover purposes (shirts).

Wright Garment Co., Bowman, Ga., effective 1-5-53 to 1-4-54; 10 percent of the factory production force for normal labor turnover purposes (work pants).

Cigar Industry Learner Regulations (29 CFR 522.201 to 522.211, as amended October 27, 1952; 17 F. R. 8633).

General Cigar Co., Robert Burns Drive, Philipsburg, Pa., effective 1-5-53 to 7-4-53; 125 learners for expansion purposes; cigar machine operating, 320 hours; cigar packing (cigars retailing for 6 cents or less), 160 hours; machine stripping, 160 hours. Each at 65 cents per hour.

The S. Frieder and Sons Co., Wilkes-Barre, Pa., effective 12-31-52 to 12-30-53; 10 percent of the total number of workers engaged in the following listed occupations: Cigar machine operating, 320 hours; machine stripping, 160 hours; packing, cigars retailing for more than 6 cents, 320 hours and cigars retailing for 6 cents or less, 160 hours. Each at 65 cents per hour.

Hosiery Industry Learner Regulations (29 CFR 522.40 to 522.51, as revised November 19, 1951, 16 F. R. 10733)

Fieldcrest Mills Division of Marshall Field & Co., Fieldale, Va., effective 1-25-53 to 1-24-54; 5 percent of the total number of factory production workers.

Trigg Knit, Madison Street, Cadiz, Ky., effective 1-2-53 to 9-1-53; 15 learners for expansion purposes.

Knitted Wear Industry Learner Regulations (29 CFR 522.68 to 522.79, as amended January 21, 1952; 16 F. R. 12866)

Iredell Knitting Mills, Inc., Plant No. 3, Statesville, N. C., effective 1-2-53 to 1-1-54; 2 learners (manufacture of cotton knitted piece goods).

Lingerie, Inc., Lenoir Road, Morgantown, N. C., effective 1-2-53 to 1-1-54; 5 percent of the total number of factory production workers (ladies' lingerie, of knitted nylon and acetate fabrics).

Shoe Industry Learner Regulations (29 CFR 522.250 to 522.260, as amended March 17, 1952; 17 F. R. 1500)

The P. Hagerty Shoe Co., 301 Van Deman Avenue, Washington Court House, Ohio, effective 1-4-53 to 1-3-54; 10 percent of the productive factory force.

Texas Boot Manufacturing Co., Inc., Forrest Avenue, Lebanon, Tenn., effective 1-5-53 to 6-4-53; 35 learners for expansion purposes.

The following special learner certificates were issued in Puerto Rico to the companies hereinafter named. The effective and expiration dates, the number of learners, the learner occupations, the length of the learning period and the learner wage rates are indicated, respectively.

Neckwear Corporation of Puerto Rico, Rio Piedras, P. R., effective 12-29-52 to 6-28-53; 24 learners; cutting 400 hours; sewing machine operator, 240 hours; handsewing (assembly of bows), 240 hours; hand painting, 240 hours. Each at 30 cents per hour (neckwear).

Sylvania Electric of Puerto Rico, Inc., Rio Piedras, P. R., effective 12-23-52 to 6-22-53; 30 learners; press operators, 160 hours; mica slitters, 160 hours; mica sorters, 240 hours; mica dialers, 240 hours; special inspectors, 240 hours; and quality control inspectors, 240 hours. Each at 32 cents per hour (fabrication of mica).

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 6th day of January 1953.

MILTON BROOKE,
Authorized Representative of the Administrator.

[F. R. Doc. 53-376; Filed, Jan. 14, 1953; 8:47 a. m.]

DEFENSE PRODUCTION ADMINISTRATION

[DPA Request No. 25—DPAV-33 (a)]

ADDITIONAL COMPANIES ACCEPTING REQUEST TO PARTICIPATE IN ACTIVITIES OF ARMY ORDNANCE INTEGRATION COMMITTEE ON CARTRIDGE CASES

Pursuant to section 708 of the Defense Production Act of 1950, as amended, the names of the following companies are herewith published which have accepted the request to participate in the voluntary plan entitled "Plan and Regulations of Ordnance Corps Governing the Integration Committee on Cartridge Cases," dated September 4, 1951, which request and original list of companies accepting such request were published on May 6, 1952, on 17 F. R. 4184.

Globe Stamping Division of Hupp Corp., 1265 West Seventy-sixth Street, Cleveland, Ohio.

Mission Appliance Corp., Hyde Park Station, Los Angeles, Calif.

General Motors Corp., Harrison Radiator Division, 599 Elm Street, Lockport, N. Y.

The Murray Ohio Manufacturing Co., 1115 East Fifty-second Street, Cleveland, Ohio.

The International Silver Co., Station Square, Meriden, Conn.

Poloron Products, Inc., 55 Avenue E, New Rochelle, N. Y.

(Sec. 708, 64 Stat. 818, Pub. Law 429, 82d Cong., 50 U. S. C. App. Sup. 2158; E. O. 10200, Jan. 3, 1951, 16 F. R. 61; 3 CFR, 1951 Supp.)

Dated: January 13, 1953.

HENRY H. FOWLER,
Administrator

[F. R. Doc. 53-586; Filed, Jan. 14, 1953; 11.15 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Delegation of Authority 8, Revision 1, Amdt. 1]

DIRECTORS OF REGIONAL OFFICES

DELEGATION OF AUTHORITY TO ACT ON APPLICATIONS PERTAINING TO CERTAIN FOOD AND RESTAURANT COMMODITIES; AUTHORITY TO ACT UNDER SECTION 26B OF CPR 15 AND 24B OF CPR 16

By virtue of the authority vested in me as Director of the Office of Price Stabilization, pursuant to the Defense Production Act of 1950, as amended (64 Stat. 798, 803; 65 Stat. 131, 66 Stat. 296) Executive Order 10161 (15 F R. 6105) and Economic Stabilization Agency General Order No. 2; as amended (16 F. R. 738, 11626) this Amendment to Delegation of Authority 8, Revision 1, is hereby issued.

Delegation of Authority 8, Revision 1, is amended in the following respects:

1. A new item 2 is inserted after item 1 to read as follows:

2. *Authority to act under section 26b of CPR 15 and 24b of CPR 16.* Authority is hereby delegated to the Directors of the Regional Offices of the Office of Price Stabilization to take appropriate action under section 26b of CPR 15 and under section 24b of CPR 16.

2. The present item 2 is redesignated as item 3.

This amendment shall take effect on January 15, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

JANUARY 14, 1953.

[F. R. Doc. 53-590; Filed, Jan. 14, 1953; 12:05 p. m.]

[Region I, Redelegation of Authority No. 60]

DIRECTORS OF DISTRICT OFFICES, REGION I, BOSTON, MASS.

REDELEGATION OF AUTHORITY TO ACT UNDER SR 65 TO THE GCPR

By virtue of the authority vested in the Director of the Regional Office of the Office of Price Stabilization, No. I, and pursuant to Delegation of Authority 71 (17 F R. 7063) this redelegation of authority is hereby issued.

1. *Authority to act under section 3 (f) of SR 65 to the GCPR.* Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region I, to act under section 3 (f) of SR 65 to the GCPR. All actions in respect to section 3 (f) of SR 65 to the GCPR, taken by District Offices in Region I previous to this authority, are hereby confirmed and validated.

This redelegation of authority shall take effect as of December 23, 1952.

JOHN A. FOX,
Acting Regional Director Region I.

JANUARY 9, 1953.

[F. R. Doc. 53-318; Filed, Jan. 9, 1953; 4:51 p. m.]

[Region XIII, Redelegation of Authority No. 42]

DIRECTORS OF DISTRICT OFFICES, REGION XIII, SEATTLE, WASH.

REDELEGATION OF AUTHORITY TO ACT UNDER SECTION 14 OF SR 87 TO GCPR

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. XIII, pursuant to Delegation of Authority No. 85 (17 F. R. 10748) this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Boise, Portland, and Spokane District Offices of Price Stabilization, respectively, to process, in the respects indicated herein, applications for percentage markups filed under section 14 of SR 87 to the GCPR:

(a) To approve, disapprove, or revise downward proposed percentage markups.

(b) To request additional information with respect to proposed percentage markups.

This redelegation of authority shall become effective as of December 12, 1952.

HAROLD WALSH,
Regional Director Region XIII.

JANUARY 9, 1953.

[F. R. Doc. 53-361; Filed, Jan. 9, 1953; 5:02 p. m.]

[Region XIII, Redelegation of Authority No. 43]

DIRECTORS OF DISTRICT OFFICES, REGION XIII, SEATTLE, WASH.

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS FOR ADJUSTMENTS OF CEILING PRICES OF CERTAIN SELLERS OF AUTOMOTIVE AND FARM EQUIPMENT REPAIR SERVICES UNDER SR 26 TO CPR 34

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. XIII, pursuant to Delegation of Authority No. 86 (17 F R. 10911) this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Boise, Portland, and Spokane District Offices of Price Stabilization, respectively, to process applications for adjustment filed under section 4 of Supplementary Regulation 26 to Ceiling Price Regulation 34; to issue letter orders establishing adjusted ceiling prices for automotive and farm equipment repair services covered thereby; to issue letter orders denying such applications for adjustment; and to request additional information as provided in section 4 of Supplementary Regulation 26 to Ceiling Price Regulation 34.

This redelegation of authority shall become effective as of December 15, 1952.

HAROLD WALSH,
Regional Director, Region XIII.

JANUARY 9, 1953.

[F. R. Doc. 53-362; Filed, Jan. 9, 1953; 5:02 p. m.]

CERTAIN REGIONS

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under General Overriding Regulation 24 were filed with the Division of the Federal Register on December 29, 1952.

REGION I

Boston Order 1-G1-3, filed 1:33 p. m., 1-G2-3, filed 1:33 p. m., 1-G3-3, filed 1:33 p. m., 1-G4-3, filed 1:34 p. m.

Hartford Order 1-G2-1, amendment 1, filed 1:34 p. m., 1-G2-1, Amendment 2, filed 1:35 p. m., 1-G2-1, amendment 3, filed 1:35 p. m., 1-G2-1, amendment 4, filed 1:36 p. m., 1-G3-1, amendment 1, filed 1:36 p. m., 1-G3-1, amendment 2, filed 1:36 p. m., 1-G3-1, amendment 3, filed 1:37 p. m., 1-G3-1, amendment 4, filed 1:37 p. m., 1-G4-1, amendment 1, filed 1:38 p. m., 1-G4-1, amendment 2, filed 1:38 p. m., 1-G4-1, amendment 3, filed 1:38 p. m., 1-G4-1, amendment 4, filed 1:39 p. m., 1-G1-3, filed 1:39 p. m., 1-G2-3, filed 1:40 p. m., 1-G3-3, filed 1:40 p. m., 1-G4-3, filed 1:41 p. m.

Manchester Order 1-G1-3, filed 1:41 p. m., 1-G2-3, filed 1:42 p. m., 1-G3-3, filed 1:42 p. m., 1-G4-3, filed 1:42 p. m., 1-G4A-3, filed 1:43 p. m.

Montpelier Order 1-G1-3, filed 1:47 p. m., 1-G2-3, filed 1:47 p. m., 1-G3-3, filed 1:47 p. m., 1-G4-3, filed 1:48 p. m.

Portland Order 1-G1-3, filed 1:48 p. m., 1-G2-3, filed 1:48 p. m., 1-G3-3, filed 1:48 p. m., 1-G4-3, filed 1:49 p. m.

Providence Order 1-G1-3, filed 1:49 p. m., 1-G2-3, filed 1:50 p. m., 1-G3-3, filed 1:50 p. m., 1-G4-3, filed 1:50 p. m.

REGION II

Syracuse Order II-G1-2, filed 1:51 p. m., II-G2-2, filed 1:51 p. m., II-G3-2, filed 1:51 p. m., II-G4-2, filed 1:52 p. m.

Newark Order II-G1-1, amendment 3, filed 1:52 p. m., II-G2-1, amendment 3, filed 1:52 p. m., II-G3-1, amendment 3, filed 1:52 p. m., II-G4-1, amendment 3, filed 1:52 p. m.

REGION III

Philadelphia Order 1-G1-2, amendment 4, filed 1:55 p. m., 1-G2-2, amendment 4, filed 1:55 p. m., IV-G1-1, amendment 1, filed 1:55 p. m., IV-G2-1, amendment 1, filed 1:56 p. m., IV-G3-1, amendment 1, filed 1:56 p. m., IV-G4-1, amendment 1, filed 1:56 p. m., III-G1-1, filed 1:56 p. m., III-G2-1, filed 1:57 p. m., V-G1-1, filed 1:57 p. m., V-G2-1, filed 1:57 p. m., V-G3-1, filed 1:57 p. m., V-G4-1, filed 1:58 p. m.

Wilmington Order 1-G1-3, filed 1:58 p. m., 1-G2-3, filed 1:59 p. m., 1-G3-3, filed 1:59 p. m., 1-G4-3, filed 2:00 p. m.

REGION IV

Richmond Order 1-G1-2, amendment 1, filed 2:01 p. m., 1-G1-2, amendment 2, filed

2:01 p. m., 1–G2–2, amendment 1, filed 2:02 p. m., 1–G2–2, amendment 2, filed 2:02 p. m., 1–G3–2, amendment 1, filed 2:02 p. m., 1–G3–2, amendment 2, filed 2:02 p. m., 1–G3–2, amendment 3, filed 2:03 p. m., 1–G3A–2, amendment 1, filed 2:03 p. m., 1–G3A–2, amendment 2, filed 2:03 p. m., 1–G4–2, amendment 1, filed 2:03 p. m., 1–G4–2, amendment 2, filed 2:03 p. m., 1–G4–2, amendment 3, filed 2:04 p. m., 1–G4A–2, amendment 1, filed 2:04 p. m., 1–G4A–2, amendment 2, filed 2:04 p. m.

Charleston Order 1–G1–2, amendment 2, filed 2:04 p. m., 1–G2–2, amendment 2, filed 2:05 p. m., 1–G3–2, amendment 2, filed 2:05 p. m., 1–G3–2, amendment 3, filed 2:06 p. m., 1–G4–2, amendment 2, filed 2:06 p. m., 1–G4–2, amendment 3, filed 2:06 p. m., II–G1–1, amendment 2, filed 2:06 p. m., II–G2–1, amendment 2, filed 2:07 p. m., II–G3–1, amendment 2, filed 2:07 p. m., II–G3–1, amendment 3, filed 2:07 p. m., II–G4–1, amendment 2, filed 2:07 p. m., II–G4–1, amendment 3, filed 2:08 p. m.

Washington, D. C., Order 1–G1–2, amendment 3, filed 2:08 p. m., 1–G2–2, amendment 3, filed 2:08 p. m., 1–G4–2, amendment 3, filed 2:09 p. m.

Copies of any of these orders may be obtained in any OPS Office in the designated city.

JOSEPH L. DWYER,
Recording Secretary.

[F. R. Doc. 53–392; Filed, Jan. 12, 1953; 10:52 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 10268, 10269, 10270]

WJR, THE GOODWILL STATION, INC., ET AL.

ORDER CONTINUING HEARING

In re applications of WJR, the Goodwill Station, Inc., Flint, Michigan, Docket No. 10268, File No. BPCT–967; Trebit Corporation, Flint, Michigan, Docket No. 10269, File No. BPCT–968; W. S. Butterfield Theatres, Inc., Flint, Michigan, Docket No. 10270, File No. BPCT–953; for construction permits for new television stations.

Upon oral motion of counsel for all applicants and with the concurrence thereto by counsel for the Commission's Broadcast Bureau, It is ordered, This 6th day of January 1953, that the further hearing in the above matter scheduled for January 7, 1953, is continued to 10:00 a. m., January 26, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 53–441; Filed, Jan. 14, 1953; 8:59 a. m.]

[Docket No. 10285, 10352]

PORT ARTHUR COLLEGE AND SMITH RADIO CO.

ORDER AMENDING ISSUES

In re applications of Port Arthur College, Port Arthur, Texas, Docket No. 10285, File No. BPCT–839; Smith Radio Company, Port Arthur, Texas, Docket No. 10352, File No. BPCT–1013; for construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 8th day of January 1953;

The Commission having under consideration a petition filed November 12, 1952, by the Chief of the Broadcast Bureau to enlarge the issues in the above-entitled proceeding; and

It appearing, that by its order of July 11, 1952 (77416, FCC 52–707), the Commission designated for consolidated hearing on specified issues the above-entitled applications of Lufkin Amusement Company and Port Arthur College; that by its order of November 5, 1952 (82195, FCC 52–1437) the Commission amended said issues; that by its memorandum opinion and order of November 26, 1952 (82903, FCC 52–1540), the Commission designated the application of Smith Radio Company for comparative hearing in consolidation with the two aforementioned applications; that thereafter on December 16, 1952, the application of Lufkin Amusement Company was dismissed; and

It further appearing, that the Chief of the Broadcast Bureau alleges that the tower proposed in the above-entitled application of Port Arthur College would be located in the vicinity of the directional array of standard broadcast Station KPAC, Port Arthur, Texas; that the proximity of the proposed television tower might impair the ability of the standard broadcast station to operate in accordance with the terms of its license; that the impairment (a) may result in changes in the radiation characteristics of the AM antenna system to the extent that interference to other stations is caused, or in a manner that will adversely affect AM service in the Port Arthur area, or (b) may have an affect on the potential assignment of foreign stations authorized under existing and proposed international agreements; that inadequate consideration is given to this problem in the application of Port Arthur College; and that in view of the aforesaid, the Commission should enlarge the issues in the above-entitled proceeding so as to require a determination as to whether the construction of the tower proposed by Port Arthur College will adversely affect the operations of Station KPAC; and

It further appearing, that the Commission, by its memorandum opinion and order of October 16, 1952 (FCC 52–1326) In re Applications of Westinghouse Radio Stations, Inc., et al., Portland, Oregon (Docket No. 9138, etc.) granted similar petitions by the Chief of the Broadcast Bureau;

It is ordered, That the above-described petition of the Chief of the Broadcast Bureau is granted; and

It is further ordered, That the aforementioned Commission orders of July 11, 1952, and November 5, 1952, and its memorandum opinion and order of November 26, 1952, are amended so that Issue No. 6 is renumbered as Issue No. 7, and a new Issue No. 6 is added as follows:

6. To determine whether the erection of the television antenna proposed in the application of Port Arthur College will adversely affect the ability of standard broadcast Station KPAC to operate in accordance with the terms of its license and the construction permit pursuant to which its license was issued, particularly with respect to the operation of its radiating system, and whether corrective measures for such effect are possible and feasible.

Released: January 9, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 53–445; Filed, Jan. 14, 1953; 8:59 a. m.]

[Docket No. 10371]

NORTHWESTERN BELL TELEPHONE CO.

ORDER ASSIGNING APPLICATION FOR HEARING

In the matter of the application of Northwestern Bell Telephone Company Docket No. 10371 (File No. P–C–3038) for a certificate under section 221 (a) of the Communications Act of 1934, as amended, to acquire the telephone plant and property of the Tioga Farmers Telephone Company.

The Commission having under consideration an application filed by Northwestern Bell Telephone Company for a certificate under section 221 (a) of the Communications Act of 1934, as amended, that the proposed acquisition by Northwestern Bell Telephone Company of the telephone plant and property of the Tioga Farmers Telephone Company, located in and around Tioga, Williams County, North Dakota, will be of advantage to persons to whom service is to be rendered and in the public interest;

It is ordered, This 7th day of January 1953, that pursuant to the provisions of section 221 (a) of the Communications Act of 1934, as amended, the above application is assigned for public hearing for the purpose of determining whether the proposed acquisition will be of advantage to persons to whom service is to be rendered and in the public interest;

It is further ordered, That the hearing upon said application be held at the offices of the Commission in Washington, D. C., beginning at 10:00 a. m., on the 28th day of January 1953, and that a copy of this order shall be served on the Northwestern Bell Telephone Company, the Tioga Farmers Telephone Company, the Governor of the State of North Dakota, the Public Service Commission of North Dakota, and the Postmaster of Tioga, North Dakota;

It is further ordered, That within five days after the receipt from the Commission of a copy of this order, the applicant herein shall cause a copy hereof to be published in a newspaper or newspapers having general circulation in Tioga, North Dakota, and in Williams County, North Dakota, and shall furnish proof of such publication at the hearing herein.

Released: January 8, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 53–442; Filed, Jan. 14, 1953; 8:59 a. m.]

[Docket No. 10372]

BELL TELEPHONE CO. OF PENNSYLVANIA

ORDER ASSIGNING APPLICATION FOR HEARING

In the matter of the application of the Bell Telephone Company of Pennsylvania, Docket No. 10372 File No. P–C–3072) for a certificate under section 221 (a) of the Communications Act of 1934, as amended, to acquire certain telephone plant and property of the Franklin Telephone and Telegraph Company.

The Commission having under consideration an application filed by the Bell Telephone Company of Pennsylvania for a certificate under section 221 (a) of the Communications Act of 1934, as amended, that the proposed acquisition by the Bell Telephone Company of Pennsylvania of certain telephone plant and property of the Franklin Telephone and Telegraph Company located in and around Springtown, Bucks County, Pennsylvania, will be of advantage to persons to whom service is to be rendered and in the public interest;

It is ordered, This 7th day of January 1953, that pursuant to the provisions of section 221 (a) of the Communications Act of 1934, as amended, the above application is assigned for public hearing for the purpose of determining whether the proposed acquisition will be of advantage to persons to whom service is to be rendered and in the public interest;

It is further ordered, That the hearing upon said application be held at the offices of the Commission in Washington, D. C., beginning at 2:00 p. m., on the 28th day of January 1953, and that a copy of this order shall be served upon the Bell Telephone Company of Pennsylvania, Franklin Telephone and Telegraph Company, the Governor of the State of Pennsylvania, the Pennsylvania Public Utility Commission, and the Postmaster of Springtown, Pennsylvania;

It is further ordered, That within five days after the receipt from the Commission of a copy of this order, the applicant herein shall cause a copy hereof to be published in a newspaper or newspapers having general circulation in Springtown, Pennsylvania, and in the townships of Springfield, Durham, Haycock, Nockamixon and Richland in Bucks County, Pennsylvania, and shall furnish proof of such publication at the hearing herein.

Released: January 8, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 53–443; Filed, Jan. 14, 1953; 8:59 a. m.]

[Docket No. 10375]

WILLIAM O. BARRY

ORDER DESIGNATING APPLICATION FOR HEARING

In re application of William O. Barry, Lebanon, Tennessee, Docket No. 10375, File No. BP–8161, for construction permit;

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 8th day of January 1953;

The Commission having under consideration a protest filed December 23, 1952, pursuant to section 309 (c) of the Communications Act of 1934, as amended, by Middle Tennessee Broadcasting Company, Inc., licensee of Station WKRM, Columbia, Tennessee, directed against the Commission's action of November 26, 1952, granting without hearing the above-entitled application of William O. Barry, for a construction permit for a new standard broadcast station to operate on the frequency 1340 kc, with power of 100 watts, unlimited time, at Lebanon, Tennessee, and requesting that said action be reconsidered and that the above-entitled application be designated for hearing;

It appearing, that said protest is accompanied by a report of field intensity measurements demonstrating that the operation proposed in the above-entitled application would involve objectionable interference both to and from Station WKRM, Columbia, Tennessee; and that the said protest meets the requirements specified in section 309 (c) of the Communications Act of 1934, as amended; and

It further appearing, that the Commission has heretofore found the applicant herein to be legally, technically, financially and otherwise qualified to operate the proposed station; and that the said protest does not raise any question concerning such qualifications;

It is ordered, That pursuant to section 309 (c) of the Communications Act of 1934, as amended, the above-entitled application is designated for hearing commencing at 10:00 a. m., on the 24th day of February 1953, at Washington, D. C., upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the availability of other primary service to such areas and populations.

2. To determine whether the operation of the proposed station would involve objectionable interference with Station WKRM, Columbia, Tennessee and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

3. To determine whether a grant of the above-entitled application would be consistent with the provisions of the Commission rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations relating to the authorization of stations which will receive interference within normally protected contours.

It is further ordered, That the effective date of the Commission's action granting the above-entitled application is postponed to the effective date of the Commission's decision after hearing in this proceeding;

It is further ordered, That Middle Tennessee Broadcasting Company, Inc., is made a party to this proceeding.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 53–444; Filed, Jan. 14, 1953; 8:59 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E–6460]

PUBLIC SERVICE COMPANY OF COLORADO

NOTICE OF CONTINUANCE OF HEARING

JANUARY 8, 1953.

Upon consideration of the motion filed January 7, 1953, on behalf of Public Service Company of Colorado for continuance of the hearing now scheduled for January 12, 1953, in the above-designated matter, and the staff counsel's response thereto;

Notice is hereby given that said hearing is hereby continued to February 9, 1953, at 10:00 a. m. in the Commission's Hearing Room, 1800 Pennsylvania Avenue NW., Washington, D. C.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 53–377; Filed, Jan. 14, 1953; 8:47 a. m.]

[Docket Nos. G–880, G–1003, G–1012]

TEXAS EASTERN TRANSMISSION CORP.

NOTICE OF PETITION TO AMEND

JANUARY 8, 1953.

Take notice that Texas Eastern Transmission Corporation (Texas Eastern), a Delaware corporation having its principal place of business at Shreveport, Louisiana, filed on December 23, 1952, a petition to amend the Commission's orders in the above-entitled matters with respect to the maximum daily contract quantities now served to seven of its existing customer companies,[1] as authorized by said orders.

The petition shows that the situation with respect to the existing customers of Texas Eastern hereinbefore referred to, is as follows:

(All volumes shown in following paragraphs are at 14.73 p. s. i. a., 60° F. temperature.)

1. *Associated.* As a result of Commission action in Docket No. G–1003 Texas Eastern has a contract to deliver to Associated up to 1,530 Mcf per day, and in Docket No. G–1012 the Commission authorized the delivery of an additional 3,060 Mcf per day or a total of 4,590 Mcf per day.

[1] Associated Natural Gas Company (Associated), City Gas Company of New Jersey (City Gas), Illinois Electric and Gas Co. (Illinois), New York and Richmond Gas Co. (New York), Philadelphia Electric Company (Philadelphia), Public Service Electric & Gas Company (Public Service), Waynesburg Home Gas Company (Waynesburg).

Texas Eastern requests that the orders in Docket Nos. G–1003 and G–1012 be amended to provide total maximum daily deliveries by Texas Eastern of 6,205 Mcf per day, which is an increase over its authorized maximum daily deliveries to Associated of 1,615 Mcf per day.

2. *City Gas.* In Docket No. G–1003 the Commission authorized Texas Eastern to deliver to City Gas 510 Mcf per day.

Texas Eastern requests that the order in Docket No. G–1003 be amended to provide total maximum daily deliveries by Texas Eastern of 690 Mcf per day, which is an increase over its authorized maximum daily deliveries to City Gas of 180 Mcf per day.

3. *Illinois.* As a result of Commission action in Docket No. G–880 Texas Eastern has a contract to deliver to Illinois up to 1,836 Mcf per day, and in Docket No. G–1693 the Commission authorized delivery of up to 714 Mcf per day.

Texas Eastern requests that the order in Docket No. G–880 be amended to provide total maximum daily deliveries by Texas Eastern of 3,196 Mcf per day, which is an increase over its authorized maximum daily deliveries to Illinois of 646 Mcf per day.

4. *New York.* In Docket No. G–1003 the Commission authorized Texas Eastern to deliver to New York up to 4,080 Mcf per day, and in Docket No. G–1693 the Commission authorized Texas Eastern to deliver to New York an additional 2,264 Mcf per day.

Texas Eastern requests that the order in Docket No. G–1003 be amended to provide total maximum daily deliveries by Texas Eastern of 7,779 Mcf per day, which is an increase over its authorized maximum daily deliveries to New York of 1,435 Mcf per day.

5. *Philadelphia.* In Docket No. G–880 the Commission authorized Texas Eastern to deliver to Philadelphia 20,400 Mcf per day.

Texas Eastern requests that the order in Docket No. G–880 be amended to provide total maximum daily deliveries by Texas Eastern of 27,578 Mcf per day, which is an increase over its authorized maximum daily deliveries to Philadelphia of 7,178 Mcf per day.

6. *Public Service.* In Docket No. G–1003 the Commission authorized Texas Eastern to deliver to Public Service up to 4,590 Mcf per day, and in Docket No. G–1693 the Commission authorized Texas Eastern to deliver to Public Service an additional quantity of up to 46,411 Mcf per day.

Texas Eastern requests that the order in Docket No. G–1003 be amended to provide total maximum daily deliveries by Texas Eastern of 52,616 Mcf per day, which is an increase over its authorized maximum daily deliveries to Public Service of 1,615 Mcf per day.

7. *Waynesburg.* In Docket No. G–880 Texas Eastern was authorized to deliver up to 816 Mcf per day to Waynesburg, and in Docket No. G–1012 the Commission authorized the delivery of an additional 612 Mcf per day, also, in Docket No. G–1693 the Commission authorized the delivery of an additional 408 Mcf per day.

Texas Eastern requests that the orders in Docket Nos. G–880 and G–1012 be amended to provide total maximum daily deliveries by Texas Eastern of 2,195 Mcf per day, which is an increase over its authorized maximum daily deliveries to Waynesburg of 359 Mcf per day.

Texas Eastern by its application proposes to sell and deliver natural gas to the above-named customers under its GS type of rate schedule.

Texas Eastern, in support of its petition, submits that its customer companies seek the additional volumes of gas herein referred to in order to meet the demands of domestic customers during the current winter season or to utilize such gas in their manufactured gas operations in preference to other more expensive fuels which would otherwise be required.

Texas Eastern requests that its petition to amend be heard under the shortened procedure pursuant to § 1.32 (b) of the Commission's rules of practice and procedure.

The petition is on file with the Commission for public inspection. Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 28th day of January 1953.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 53-378; Filed, Jan. 14, 1953; 8:48 a. m.]

[Docket No. G–1277]

TRANSCONTINENTAL GAS PIPE LINE CORP.

NOTICE OF PETITION TO AMEND

JANUARY 8, 1953.

Take notice that Transcontinental Gas Pipe Line Corporation (Transcontinental) a Delaware corporation having its principal place of business at Houston, Texas, filed on December 9, 1952, a "Petition for Amendment of Order Issuing Certificate of Public Convenience and Necessity," by which it requests the Commission to amend its order issued April 28, 1950, accompanying Opinion No. 191 in Docket No. G–1277 whereby the Commission authorized Transcontinental to sell and deliver to Newton County Gas Co. (Newton County) up to 1,876 Mcf of natural gas per day for distribution and sale in the cities of Conyers, Porterdale, Covington, and Oxford, Georgia, and their environs.

On July 28, 1952, the Mid-Georgia Natural Gas Company (Mid-Georgia) filed an application (Docket No. G–2015) for an order disclaiming jurisdiction or in the alternative for a certificate of public convenience and necessity, stating therein that pursuant to the terms of a contract dated July 18, 1952, Newton County transferred to the Mid-Georgia all rights and interests in and to the franchises, contracts and physical properties of that portion of Newton County's distribution system being constructed to serve the city of Conyers and the Community of Millstead, Georgia; and all rights and interests in the gas contract between Transcontinental and Newton County and all rights and interests that Newton County has or may have in a proposed contract with the U. S. Army for providing gas service for its Atlanta General Depot installation.

Mid-Georgia in its application in Docket No. G–2015 states that it is the successor to Newton County having received that portion of Newton County's system now ready to begin operations by transfer on July 18, 1952, and, under the agreement of same date, will successively construct and put into operation the balance of the communities after completion and activation of Conyers and the adjoining unincorporated area of Millstead.

Transcontinental requests that its petition to amend be heard under the shortened procedure pursuant to § 1.32 (b) of the Commission's rules of practice and procedure.

The petition is on file with the Commission for public inspection. Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 28th day of January 1953.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 53-379; Filed, Jan. 14, 1953; 8:48 a. m.]

[Docket No. ID–1189]

ROBERT BRANDT

NOTICE OF ORDER AUTHORIZING APPLICANT TO HOLD CERTAIN POSITIONS

JANUARY 9, 1953.

Notice is hereby given that on January 9, 1953, the Federal Power Commission issued its order entered January 8, 1953, authorizing applicant to hold certain positions pursuant to section 305 (b) of the Federal Power Act in the above-entitled matter.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 53-381; Filed, Jan. 14, 1953; 8:49 a. m.]

[Project No. 2123]

MONTANA POWER CO.

NOTICE OF APPLICATION FOR LICENSE

JANUARY 9, 1953.

Public notice is hereby given that the Montana Power Company, of Butte, Montana, has filed application under the Federal Power Act (16 U. S. C. 791a–825r) for a license for constructed water-power Project No. 2123 (known as the Holter Hydroelectric Development) located on the Missouri River about 43 miles northeast of Helena and 3½ miles east of Wolf Creek in Lewis and Clark County, Montana—completed and placed in operation in 1918—and consisting of a concrete gravity dam with an overall length of 1,364 feet comprised of a spill-

way section—682 feet long containing 31 bays of which 10 are equipped with gates and the others with semi-permanent flashboards, an intake section—191 feet long, and two abutment sections—one, 91 feet long and the other 400 feet long; a reservoir 27 miles long with an area of 4,600 acres at full pool elevation of 3,564 feet and usable storage of 82,000 acre-feet; four main penstocks and two exciter penstocks; a powerhouse integral with the dam containing four main units each consisting of a 16,500-horsepower turbine connected to a 12,000 kva generator and two excitation units each consisting of a 600-horsepower turbine connected to a 500-kilowatt exciter; a substation; and appurtenant equipment.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.0) on or before the 26th day of February 1953. The application is on file with the Commission for public inspection.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 53-380; Filed, Jan. 14, 1953; 8:48 a. m.]

OFFICE OF DEFENSE MOBILIZATION

[CDHA 99]

DECERTIFICATION OF A CRITICAL DEFENSE HOUSING AREA

JANUARY 13, 1953.

Upon review of specific data which has been prescribed by and presented to the Director of Defense Mobilization and on the basis of other information available in the discharge of my official duties, the undersigned finds that one or more of the conditions required by section 101 (b) of the Defense Housing and Community Facilities and Services Act of 1951 (Pub. Law 139, 82d Cong., 1st Sess.) do not exist in the area designated as: Canton-Massillon, Ohio, area.

Therefore, pursuant to section 101 (b) of the Defense Housing and Community Facilities and Services Act of 1951, and by virtue of the authority vested in me by paragraph number 1 of Executive Order 10296 of October 2, 1951, I hereby determine and certify that the aforementioned area is no longer a critical defense housing area.

HENRY H. FOWLER,
Director of Defense Mobilization.

[F. R. Doc. 53-481; Filed, Jan. 13, 1953; 4:17 p. m.]

[RC 90]

DECERTIFICATION OF A CRITICAL DEFENSE HOUSING AREA

JANUARY 13, 1953.

Upon specific data which has been prescribed by and presented to the Secretary of Defense and the Director of Defense Mobilization and on the basis of other information available in the discharge of their official duties, the undersigned find that one or more of the conditions required by section 204 (1) of the Housing and Rent Act of 1947, as amended, no longer exist in the area designated as: Sioux City, Iowa, Area.

Therefore, pursuant to section 204 (1) of the Housing and Rent Act of 1947, as amended, and Executive Order 10276 of July 31, 1951, the undersigned jointly determine and certify that the aforementioned area is no longer a critical defense housing area.

ROBERT A. LOVETT,
Secretary of Defense.
HENRY H. FOWLER,
Director of Defense Mobilization.

[F. R. Doc. 53-570; Filed, Jan. 14, 1953; 10:52 a. m.]

[RC 91]

DECERTIFICATION OF A CRITICAL DEFENSE HOUSING AREA

JANUARY 13, 1953.

Upon specific data which has been prescribed by and presented to the Secretary of Defense and the Director of Defense Mobilization and on the basis of other information available in the discharge of their official duties, the undersigned find that one or more of the conditions required by section 204 (1) of the Housing and Rent Act of 1947, as amended, no longer exist in the area designated as Fremont-Wahoo, Nebraska, Area.

Therefore, pursuant to section 204 (1) of the Housing and Rent Act of 1947, as amended, and Executive Order 10276 of July 31, 1951, the undersigned jointly determine and certify that the aforementioned area is no longer a critical defense housing area.

ROBERT A. LOVETT,
Secretary of Defense.
HENRY H. FOWLER,
Director of Defense Mobilization.

[F. R. Doc. 53-571; Filed, Jan. 14, 1953; 10:52 a. m.]

SMALL DEFENSE PLANTS ADMINISTRATION

[S. D. P. A. Pool Request No. 9]

REQUEST TO WISCONSIN MANUFACTURERS' DEFENSE POOL, INC. TO OPERATE AS SMALL BUSINESS PRODUCTION POOL AND REQUEST TO CERTAIN COMPANIES TO PARTICIPATE IN OPERATIONS OF SUCH POOL

Pursuant to Section 708 of the Defense Production Act of 1950, as amended, the request to Wisconsin Manufacturers' Defense Pool, Inc. to operate as a small business production pool and the request to the companies hereinafter listed to participate in the operations of such pool, set forth below, were approved by the Attorney General after consultations with respect thereto between the Attorney General, the Chairman of the Federal Trade Commission, and the Administrator of the Small Defense Plants Administration. The voluntary program in accordance with which the pool shall operate has been approved by the Administrator of the Small Defense Plants Administration and found to be in the public interest as contributing to the national defense.

REQUEST TO WISCONSIN MANUFACTURERS' DEFENSE POOL, INC.

You are requested to operate as a small business production pool in accordance with the voluntary program, as set forth in the papers submitted to the Small Defense Plants Administration, Pooling Branch, Washington 25, D. C.

In my opinion, the operations of your association as a small business production pool will greatly assist in the accomplishment of our national defense program.

The Attorney General has approved this request after consultations with respect thereto between his representatives, representatives of the Chairman of the Federal Trade Commission and my representatives, pursuant to Section 708 of the Defense Production Act of 1950, as amended.

I approve the voluntary program and find it to be in the public interest as contributing to the national defense. You may commence your operations as a small business production pool upon notifying me in writing of your acceptance of this request. Immunity from prosecution under the Federal antitrust laws and the Federal Trade Commission Act will be given upon such acceptance, provided that such operations are within the limits set forth in the approved voluntary program.

Your cooperation in this matter will be appreciated.

Sincerely yours,

JOHN E. HORNE,
Administrator.

REQUEST TO COMPANIES

You are requested to participate in the operations of the Wisconsin Manufacturers' Defense Pool, Inc., which will operate as a small business production pool, in accordance with the voluntary program, as set forth in the papers submitted by it to the Small Defense Plants Administration, Pooling Branch, Washington 25, D. C.

In my opinion, your participation in the operations of this small business production pool will greatly assist in the accomplishment of our national defense program.

The Attorney General has approved this request after consultations with respect to this matter between his representatives, representatives of the Chairman of the Federal Trade Commission and my representatives, pursuant to Section 708 of the Defense Production Act of 1950, as amended.

I approve the voluntary program and find it to be in the public interest as contributing to the national defense.

You will become a participant upon notifying me in writing of your acceptance of this request. Immunity from prosecution under the Federal antitrust laws and the Federal Trade Commission Act will be given upon such acceptance, provided that the operations of this production pool and your participation therein are within the limits set forth in the approved voluntary program.

Your cooperation in this matter will be appreciated.

Sincerely yours,

JOHN E. HORNE,
Administrator.

The Wisconsin Manufacturers' Defense Pool, Inc., accepted the request set forth above to operate as a small business production pool.

LIST OF COMPANIES ACCEPTING REQUEST TO PARTICIPATE

Aelco Brass Foundry, Inc., 1980 South Fourth Street, Milwaukee 4, Wis.

Capital Engineering Co., 1226 North Fourth Street, Milwaukee, Wis.

Everbrite Electric Signs, Inc., 1440 North Fourth Street, Milwaukee, Wis.
General Automotive Manufacturing Co., 818 South Water Street, Milwaukee, Wis.
Juneau Stamping & Manufacturing Co., 1226 North Fourth Street, Milwaukee, Wis.
Master Machine Co., 616 South Eighty-ninth Street, Milwaukee, Wis.
Milwaukee Transformer Co., 5231 North Hopkins Street, Milwaukee, Wis.
Chas. H. Stehling Co., 1303 North Fourth Street, Milwaukee, Wis.

(Sec. 703, 64 Stat. 818, Pub. Law 96, as amended by Pub. Law 429, 82d Cong.; 50 U. S. C. App. 2158; E. O. 10370, July 7, 1952, 17 F. R. 6141)

Dated: January 13, 1953.

JOHN E. HORNE,
Administrator.

[F. R. Doc. 53-582; Filed, Jan. 14, 1953; 11:20 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2976]

WEST PENN ELECTRIC CO. AND MONONGAHELA POWER CO.

ORDER PERMITTING SUBMISSION OF COMMON STOCK RIGHTS OFFERING TO BIDDING FOR UNDERWRITING AND ACQUISITION BY PARENT OF COMMON STOCK OF SUBSIDIARY

JANUARY 9, 1953.

The West Penn Electric Company ("West Penn Electric") a registered holding company, and its public utility subsidiary, Monongahela Power Company ("Monongahela") having filed a joint application-declaration, with amendments thereto, pursuant to the provisions of sections 6, 7, 9, 10, and 12 (c) of the act and Rules U-42, U-43, and U-50 promulgated thereunder, with respect to the following proposed transactions:

West Penn Electric proposes to issue 264,000 additional shares of its common stock, without par value, and to offer such shares to the holders of its presently outstanding common stock for subscription in the ratio of 1 share of additional common stock for each 15 shares of common stock now held. The rights to subscribe are to be evidenced by transferable subscription warrants to be issued on the basis of one right for each share of common stock owned. No fractional shares are to be issued in exchange for warrants. The warrants provide that persons subscribing for stock may direct the subscription agent to purchase additional warrants evidencing rights required to complete a full share subscription or to sell warrants evidencing rights in excess of those required for full share subscriptions. In each case, the purchase or sale may not exceed 14 rights for any single stockholder.

The above described offering is to be underwritten and West Penn Electric proposes to select the purchasers of any unsubscribed stock at competitive bidding pursuant to Rule U-50. At least 42 hours prior to the time for the submission and opening of bids, West Penn Electric will advise the prospective bidders of the subscription price per share for the shares of new common stock, which will also be the price per share at which unsubscribed shares will be sold to the successful bidder. Prospective bidders are to be required to specify an aggregate amount of compensation to be paid by the company for their commitments.

West Penn Electric also proposes, if considered necessary or desirable, to stabilize the price of the common stock of the company for the purpose of facilitating the offering and distribution of the new common stock. It states that the stabilization activities, if any, will not be commenced prior to January 19, 1953, and will not extend beyond the time for the acceptance of a bid for the unsubscribed stock. In connection therewith, the company may purchase shares of its common stock, but not in excess of 26,400 shares, on the New York Stock Exchange or otherwise. Such purchases are to be made through brokers with the payment of regular stock exchange commissions. The prospective bidders will be asked to bid not only for the purchase of the unsubscribed stock but also for the purchase of any shares within the above limitation acquired by the company through such stabilizing transactions.

Monongahela proposes to sell and West Penn Electric proposes to buy 769,300 additional shares of common stock of Monongahela, par value $6.50 per share, for a cash consideration of $5,004,450. Such funds will be used in carrying out the construction program of Monongahela.

According to the filing, it is the present intention of West Penn Electric to use a portion of the net proceeds from the sale of its new common stock to make the aforesaid purchase of common stock of Monongahela. The remainder of the net proceeds is to be added to the general funds of West Penn Electric and will be available for general corporate purposes, including investments in its subsidiaries and in the common stock of Ohio Valley Electric Corporation, a new corporation formed by various public utility and holding companies to provide the Atomic Energy Commission with its electric energy requirements for its proposed plant near Portsmouth, Ohio.

The Public Service Commission of Maryland has authorized the issuance and sale of the common stock by West Penn Electric and its acquisition of the common stock of Monongahela, provided that the West Penn Electric common stock shall not be sold at a price less than 10 percent below the closing market price on the day the subscription price is fixed.

The filing requests that the order of the Commission herein granting the application and permitting effectiveness to the declaration become effective forthwith upon the issuance thereof.

Notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to the act, and the Commission not having received a request for hearing with respect to said joint application-declaration, as amended, within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said joint application-declaration, as amended, that the requirements of the applicable provisions of the act and rules thereunder are satisfied, and deeming it appropriate in the public interest and in the interest of investors and consumers that the said joint application-declaration, as amended, be granted and permitted to become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that the said joint application-declaration, as amended, be, and hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24, and to the further condition that the proposed issuance and sale of the 264,000 shares of new common stock by West Penn Electric shall not be consummated until the results of competitive bidding, pursuant to Rule U-50, and the proposed subscription price for the common stock have been made a matter of record in this proceeding and a further order shall have been entered with respect thereto, which order shall contain such further terms and conditions as may then be deemed appropriate, for which purpose jurisdiction be, and the same hereby is, reserved.

It is further ordered, That jurisdiction be, and the same hereby is, reserved with respect to the reasonableness of all fees and expenses incurred in connection with the proposed transactions.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 53-387; Filed, Jan. 14, 1953; 8:50 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 27700]

SODA ASH FROM OHIO, MICHIGAN, NEW YORK, AND VIRGINIA TO LAWRENCE AND TOPEKA, KANS.

APPLICATION FOR RELIEF

JANUARY 12, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. C. Schuldt and C. W. Boin, Agents, for carriers parties to schedules listed below.

Commodities involved: Soda ash, carloads.

From: Specified points in Ohio, Michigan, New York, and Virginia.

To: Lawrence and Topeka, Kans.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: L. C. Schuldt, Agent, I. C. C. No. 4238, Supp. 72; C. W. Boin, Agent, I. C. C. No. A-970, Supp. 2.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commis-

sion in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 53-383; Filed, Jan. 14, 1953; 8:49 a. m.]

[4th Sec. Application 27702]

FIBREGLASS YARN, SCRAP OR WASTE FROM PARKERSBURG, W. VA., TO KANSAS CITY, MO.-KANS.

APPLICATION FOR RELIEF

JANUARY 12, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by L. C. Schuldt, Agent, for carriers parties to schedule listed below.

Commodities involved: Fibreglass yarn, scrap or waste, fibreglass, cut strands, carloads.

From: Parkersburg, W Va.

To: Kansas City, Mo.-Kans.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: L. C. Schuldt, Agent, I. C. C. No. 4238, Supp. 72.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,
Acting Secretary.

[F. R. Doc. 53-385; Filed, Jan. 14, 1953; 8:49 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

[Vesting Order. 19114]

MARTA SCHERM-SCHABEL

In re: Securities owned by Marta Scherm-Schabel.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40) Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That Marta Scherm-Schabel, whose last known address is NR. 21, Weiherhammer, Opf, Germany on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany and is, and prior to January 1, 1947, was a national of a designated enemy country (Germany)

2. That the property described as follows:

a. Ten (10) shares of no par value capital stock of Columbus Park Manor Building Corporation evidenced by a certificate numbered 163 issued in the name of Marta Schabel, and presently in the custody of the Attorney General of the United States, together with all declared and unpaid dividends,

b. One (1) share of no par value capital stock of 3120 Franklin Boulevard Building Corporation evidenced by certificate numbered 68, registered in the name of Marta Schabel, and presently in the custody of the Attorney General of the United States, together with all declared and unpaid dividends,

c. One (1) share of no par value capital stock of 5113 Washington Boulevard Building Corporation, evidenced by certificate number 54 registered in the name of Marta Scherm-Schabel, and presently in the custody of the Attorney General of the United States, together with all declared and unpaid dividends, and

d. Three (3) participating registered income Touraine Building Corporation bonds numbered C164/6 each of $100.00 face value, registered in the name of Marta Schabel and presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Marta Scherm-Schabel, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That the national interest of the United States requires that the person identified in subparagraph 1 hereof, be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 12, 1953.

For the Attorney General.

[SEAL] ROWLAND F KIRKS,
Assistant Attorney General, Director, Office of Alien Property.

[F. R. Doc. 53-407; Filed, Jan. 14, 1953; 8:54 a. m.]

[Vesting Order 16680, Amdt.]

DRESDNER BANK ET AL.

In re: Securities owned by and debts owing to the Dresdner Bank and others. F-49-1302.

Vesting Order 16680, dated December 21, 1950, is hereby amended as follows and not otherwise:

1. By deleting from Exhibit A, attached to and by reference made part of said Vesting Order 16680, the name "Hurley and Co." set forth with respect to 31 shares of the American Steel Foundries common stock, certificate numbered 95002, and substituting therefor the name "Sophie Van Rutneszases"

2. By deleting from Exhibit B, attached to and by reference made part of said Vesting Order 16680, the certificate number "4858" set forth with respect to a $1,000 bond of the National Railways of Mexico, 50-Year Prior Lien Sinking Fund 4½ Percent Gold Bond, due July 1, 1957, with Scrip Receipts 4/6 and Cash Warrants 4/9, and substituting therefor the certificate number "M48058"

All other provisions of said Vesting Order 16680, and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on January 12, 1953.

For the Attorney General.

[SEAL] ROWLAND F KIRKS,
Assistant Attorney General, Director, Office of Alien Property.

[F. R. Doc. 53-410; Filed, Jan. 14, 1953; 8:55 a. m.]